

Exhibit 6

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: TERRORIST ATTACKS : 03-MDL-1570
ON SEPTEMBER 11, 2001 : (GBD) (SN)

- - -
JUNE 9, 2021
THIS TRANSCRIPT CONTAINS
CONFIDENTIAL MATERIAL
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Remote Videotaped
Deposition, taken via Zoom, of OMAR
AL-BAYOUMI, commencing at 7:04 a.m., on
the above date, before Amanda
Maslynsky-Miller, Certified Realtime
Reporter and Notary Public in and for the
Commonwealth of Pennsylvania.

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877.370.3377 ph| 917.591.5672 fax
deps@golkow.com

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Page 46	Page 48
<p>1 A. Estan. 2 MR. BEETAR: Sorry, 3 al-Salmi. 4 INTERPRETER MIKHAIL: Oh, 5 ok. Sorry, al-Salmi. 6 THE WITNESS: (In English) 7 al-Salmi. 8 BY MR. POUNIAN: 9 Q. So am I correct that Alp 10 Karli reported to Mr. Salmi? 11 A. So I don't know, because he 12 would report to Dallah. He was also the 13 head of the finance, ANSS, and he would 14 report -- 15 INTERPRETER MIKHAIL: The 16 interpreter will correct. 17 THE WITNESS: I do not know 18 because he would report to Dallah. 19 He was also in finance with ANSS, 20 headed by Salmi. 21 MR. KRY: Same objection. 22 Just object to the responses as 23 nonresponsive. 24 BY MR. POUNIAN:</p>	<p>1 Q. And where was your office? 2 A. In the same -- in the 3 airways engineering. 4 Q. Was that in Jeddah? 5 A. Correct. 6 Q. And where was that office 7 located? 8 A. Next to Alp Karli's office. 9 Q. And that was a building of 10 airways engineering? 11 A. Correct. 12 Q. And was Mr. Salmi's office 13 in the same building? 14 A. Yes. 15 Q. And how long did you work at 16 that particular office? 17 A. Since I first got the 18 secondment it was about five years, just 19 about five years. 20 Q. I asked how long did you 21 work at the office of airways engineering 22 in Jeddah? 23 A. I do not know. 24 MR. BEETAR: I don't</p>
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<p>1 Q. Isn't it true, sir, Mr. 2 Salmi could hire or fire Mr. Alp Karli? 3 MR. SHEN: Objection. 4 Foundation. 5 You can answer if you know. 6 MR. POUNIAN: Did we get an 7 answer? 8 INTERPRETER MIKHAIL: The 9 answer was I don't know. 10 BY MR. POUNIAN: 11 Q. Where did you work for 12 airways engineering when you first 13 started your job there? 14 A. (In English) Can you repeat 15 the question? 16 INTERPRETER MIKHAIL: The 17 interpreter can repeat the 18 question. 19 THE WITNESS: I don't 20 remember exactly. 21 BY MR. POUNIAN: 22 Q. Well, did you have an 23 office? 24 A. Yes.</p>	<p>1 remember. Sorry. He said, I 2 don't remember. 3 BY MR. POUNIAN: 4 Q. What were your job duties 5 when you worked for airways engineering 6 in Jeddah at the office? 7 A. In the finance department. 8 Q. What did you do in the 9 finance department? 10 A. Finance matters. 11 Q. What finance matters? 12 A. So salaries, purchases and 13 contracts and so forth. 14 Q. And what -- what did you do 15 with regard to these items? 16 INTERPRETER MIKHAIL: 17 Counsel, please repeat the 18 question for the interpreter. 19 BY MR. POUNIAN: 20 Q. What were you doing with 21 regard to salaries, purchases, contracts 22 and so forth? 23 A. I was a reviewer for 24 renewal.</p>

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<p>1 MR. BEETAR: No, no. He</p> <p>2 said reviewing and auditing.</p> <p>3 THE WITNESS: (In English)</p> <p>4 Auditing. Yes.</p> <p>5 MR. KRY: Sorry. On the</p> <p>6 realtime at 36/20, I see the</p> <p>7 testimony was changed to "next to</p> <p>8 Avco's office." The witness said</p> <p>9 next to Alp Karli's office. It's</p> <p>10 at 36/20.</p> <p>11 BY MR. POUNIAN:</p> <p>12 Q. And what were you reviewing</p> <p>13 and auditing specifically?</p> <p>14 A. Anything finance related, it</p> <p>15 would come my way and I would look at.</p> <p>16 Q. Like what?</p> <p>17 A. So the salaries, the</p> <p>18 invoices, the purchases. Every</p> <p>19 department, they would have purchases and</p> <p>20 I would have to review the transaction,</p> <p>21 the procedures of the transactions, the</p> <p>22 paperwork, are the paperwork aligned with</p> <p>23 the law, are they following the</p> <p>24 finance -- the finance conditions and so</p>	<p>1 Q. And who -- the head of the</p> <p>2 department being Salmi?</p> <p>3 MR. SHEN: Objection to</p> <p>4 form.</p> <p>5 INTERPRETER MIKHAIL:</p> <p>6 Interpreter did not hear. Please</p> <p>7 repeat.</p> <p>8 THE WITNESS: Alp Karli.</p> <p>9 MR. BEETAR: Alp Karli,</p> <p>10 A-L-P.</p> <p>11 BY MR. POUNIAN:</p> <p>12 Q. Did you speak with Mr. Salmi</p> <p>13 about that issue?</p> <p>14 A. Which issue?</p> <p>15 Q. About your future at airways</p> <p>16 engineering.</p> <p>17 A. No.</p> <p>18 Q. So is Alp Karli the only</p> <p>19 person you spoke to about it?</p> <p>20 A. Yes. He was my boss. He</p> <p>21 was the one getting me ready for me to</p> <p>22 take on the post.</p> <p>23 Q. Sir, who sent you to San</p> <p>24 Diego?</p>
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<p>1 forth.</p> <p>2 Q. And did anyone work for you?</p> <p>3 A. So when I worked for the</p> <p>4 airways engineering, they would tell me</p> <p>5 that I would replace Karli but I needed</p> <p>6 to study English.</p> <p>7 Q. Who told you that?</p> <p>8 A. Job requirements.</p> <p>9 Q. Who told you about replacing</p> <p>10 Alp Karli?</p> <p>11 A. When I first came, they told</p> <p>12 me. In the same division.</p> <p>13 Q. Who told you?</p> <p>14 A. In the same division, when I</p> <p>15 first got there, they told me, get</p> <p>16 yourself ready to replace Alp Karli</p> <p>17 because he's going to retire. And I was</p> <p>18 fit to take the post, but I needed to</p> <p>19 better my English.</p> <p>20 Q. You keep saying, sir, that</p> <p>21 "they told you." Who are "they"? Who</p> <p>22 are the ones who told you?</p> <p>23 A. Who told me? The head of</p> <p>24 the department and the assistant.</p>	<p>1 A. So at the beginning, I went</p> <p>2 to study, on my own expense, English. I</p> <p>3 had --</p> <p>4 - - -</p> <p>5 (Whereupon, a discussion off</p> <p>6 the record occurred.)</p> <p>7 - - -</p> <p>8 INTERPRETER MIKHAIL: The</p> <p>9 interpreter will repeat.</p> <p>10 THE WITNESS: In the</p> <p>11 beginning, I went to study, on my</p> <p>12 own expense, English. I had that</p> <p>13 intent.</p> <p>14 BY MR. POUNIAN:</p> <p>15 Q. My question was, who sent</p> <p>16 you to San Diego?</p> <p>17 A. No one in specific sent me</p> <p>18 to San Diego.</p> <p>19 Q. Sir, you were assigned to</p> <p>20 San Diego as part of your job at airways</p> <p>21 engineering; am I correct?</p> <p>22 A. Yes. Yes, later on. In the</p> <p>23 beginning I was on vacation, and then I</p> <p>24 enrolled in Dallah.</p>

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<p>1 Q. Sir, when you first moved to</p> <p>2 San Diego, who was paying your salary?</p> <p>3 MR. KRY: Same objection.</p> <p>4 THE WITNESS: Dallah.</p> <p>5 BY MR. POUNIAN:</p> <p>6 Q. And how was it that Dallah</p> <p>7 was paying your salary?</p> <p>8 MR. KRY: Objection to form.</p> <p>9 THE WITNESS: They were</p> <p>10 paying it because I received a</p> <p>11 secondment.</p> <p>12 BY MR. POUNIAN:</p> <p>13 Q. When you arrived in San</p> <p>14 Diego, did you have what you're calling a</p> <p>15 secondment at that time?</p> <p>16 A. Yes -- no, it was later on.</p> <p>17 At first I did not have a secondment.</p> <p>18 Later on, I received a secondment.</p> <p>19 Q. And who arranged the</p> <p>20 secondment?</p> <p>21 A. The finance division.</p> <p>22 Q. The finance division of</p> <p>23 airways engineering?</p> <p>24 A. Yes.</p>	<p>1 A. And also after I came back</p> <p>2 from San Diego. I studied for a bit in</p> <p>3 Saudi and then after that, I went back to</p> <p>4 work.</p> <p>5 Q. What job responsibilities</p> <p>6 did you have for ANSS before you went to</p> <p>7 San Diego?</p> <p>8 A. I mentioned it before.</p> <p>9 Q. Sir, when did you first work</p> <p>10 for ANSS?</p> <p>11 A. (In English) Exact date?</p> <p>12 Q. Yes.</p> <p>13 A. I don't remember.</p> <p>14 Q. Was it before or after you</p> <p>15 went to San Diego for the first time?</p> <p>16 A. Yes, yes.</p> <p>17 Q. Yes what? I'm sorry.</p> <p>18 A. Yes, before I went to San</p> <p>19 Diego.</p> <p>20 Q. And how long before?</p> <p>21 A. Before I went to San Diego,</p> <p>22 I worked for the finance department for</p> <p>23 ANSS. Then I went to San Diego.</p> <p>24 Q. And did you have any job</p>
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<p>1 Q. Sir, did you ever do any</p> <p>2 work for Dallah Avco?</p> <p>3 MR. KRY: Objection to form.</p> <p>4 INTERPRETER MIKHAIL: The</p> <p>5 interpreter, Dallah Avco? Okay.</p> <p>6 THE WITNESS: So Dallah Avco</p> <p>7 works under the umbrella of ANSS.</p> <p>8 I work under ANSS and not directly</p> <p>9 under Dallah.</p> <p>10 BY MR. POUNIAN:</p> <p>11 Q. Did you ever have any job</p> <p>12 responsibilities when you were working</p> <p>13 under ANSS?</p> <p>14 A. Yes.</p> <p>15 Q. What were your job</p> <p>16 responsibilities?</p> <p>17 A. Prior, it was in the finance</p> <p>18 auditing and financial revisions.</p> <p>19 Q. And when and where did you</p> <p>20 do that work, sir?</p> <p>21 A. At the beginning, it was at</p> <p>22 Karli's office.</p> <p>23 Q. And that's before you went</p> <p>24 to San Diego, is what you're saying, sir?</p>	<p>1 responsibilities in San Diego?</p> <p>2 A. No.</p> <p>3 Q. Did you do any work when you</p> <p>4 were in San Diego?</p> <p>5 A. No.</p> <p>6 Q. And who did you report to</p> <p>7 when you were in San Diego?</p> <p>8 INTERPRETER HALABI: I'm</p> <p>9 sorry, the interpreter did not</p> <p>10 hear the name.</p> <p>11 THE WITNESS: Alp Karli.</p> <p>12 BY MR. POUNIAN:</p> <p>13 Q. And during the time that you</p> <p>14 were in San Diego, am I correct that Alp</p> <p>15 Karli still reported to Mr. Salmi at</p> <p>16 airways engineering?</p> <p>17 MR. SHEN: Objection to</p> <p>18 form.</p> <p>19 You can answer.</p> <p>20 THE WITNESS: It could have</p> <p>21 been Salmi. It could have been</p> <p>22 the project manager in Dallah, who</p> <p>23 was appointed by --</p> <p>24 INTERPRETER AL-HALABI: The</p>

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: TERRORIST ATTACKS : 03-MDL-1570
ON SEPTEMBER 11, 2001 : (GBD) (SN)

- - -
JUNE 10, 2021
VOLUME II
THIS TRANSCRIPT CONTAINS
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Continued Remote Videotaped
Deposition, taken via Zoom, of OMAR
AL-BAYOUMI, commencing at 7:07 a.m., on
the above date, before Amanda
Maslynsky-Miller, Certified Realtime
Reporter and Notary Public in and for the
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<p style="text-align: right;">Page 389</p> <p>1 A. That person, and another 2 person who helped. Osama was the one 3 helping them. 4 Q. So the man from Islamic 5 Affairs and Osama loaded the books in the 6 car? 7 A. Yes. 8 Q. And was there anyone else 9 helping to load the books into the car? 10 A. Yes. There was a worker 11 helping. 12 Q. Was the receptionist the 13 only woman that you met at the consulate? 14 A. Yes. 15 Q. And did you meet any men at 16 the consulate, other than the Islamic 17 Affairs man that you described? 18 A. No. 19 Q. So am I correct the only two 20 people you met at the consulate were the 21 receptionist at the front, at the 22 entrance where you came in, and the 23 Islamic Affairs person? 24 MR. SHEN: Objection to</p>	<p style="text-align: right;">Page 391</p> <p>1 A. A restaurant. 2 Q. And what restaurant? 3 A. I don't know. It was a 4 restaurant that served halal meat. 5 Q. And was it a place you had 6 been to before? 7 A. No. 8 Q. How did you know to go 9 there? 10 A. We saw it on the way. 11 Q. You saw it on the way. 12 When did you see it on the 13 way? 14 A. When we were going to San 15 Diego. 16 Q. So you're saying you left 17 the consulate and on the way back to San 18 Diego you saw a restaurant? 19 A. Yes. 20 Q. And where was the restaurant 21 that you saw? 22 A. I do not know. I do not 23 remember. 24 Q. Do you know what town it was</p>
<p style="text-align: right;">Page 390</p> <p>1 form. 2 You can answer. 3 INTERPRETER MIKHAIL: The 4 interpreter will repeat the 5 question. 6 THE WITNESS: And the 7 worker. 8 BY MR. POUNIAN: 9 Q. So the three people you met 10 were the receptionist at the place where 11 you entered the consulate, the Islamic 12 Affairs man, and the worker who helped 13 load books in the car? 14 A. Yes. 15 Q. How many books were there? 16 A. I don't remember. 17 Q. What happened next? 18 A. We went back to San Diego. 19 But before that -- so we 20 went back. But on the road after we left 21 the embassy, we were hungry and we wanted 22 to get something to eat. So we went and 23 ate. 24 Q. And where did you go?</p>	<p style="text-align: right;">Page 392</p> <p>1 in? 2 A. It was Los Angeles. 3 Q. And what happened then? 4 A. After we ate in the 5 restaurant, we went back to San Diego. 6 Q. Did you have your -- you had 7 your cell phone with you on this trip; am 8 I correct? 9 A. Yes. 10 Q. [REDACTED] 11 [REDACTED] 12 [REDACTED]; 13 [REDACTED] 14 A. Yes. 15 Q. [REDACTED] 16 [REDACTED] 17 [REDACTED] 18 A. I don't remember. 19 Q. What type of food was at the 20 restaurant that you stopped at? 21 A. Halal meat. 22 Q. And how did you know from 23 the outside of the restaurant that it had 24 halal meat?</p>

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<p style="text-align: right;">Page 393</p> <p>1 A. So they had the meat 2 suspended. 3 INTERPRETER ABDEL-RAHMAN: 4 Hanging. 5 INTERPRETER MIKHAIL: 6 Hanging. 7 BY MR. POUNIAN: 8 Q. And you noticed that as you 9 were driving by? 10 A. Yes. We saw it, me and 11 Osama. 12 Q. And what is it -- can you 13 just tell us, what is it that you saw 14 that made you stop at that particular 15 restaurant? 16 A. We were looking for another 17 restaurant that me and my family had 18 eaten at before, but it was closed, I 19 believe. And this one was next to it. 20 Q. Sir, can you tell us, what 21 is it that you saw that made you stop at 22 that particular restaurant? 23 A. So the way they had the meat 24 hanging. And also the barbecue, they had</p>	<p style="text-align: right;">Page 395</p> <p>1 Q. And what kind of food was at 2 the restaurant? 3 A. Meat. 4 Q. What kind of meat? 5 A. (In English) I don't 6 remember. Meat, halal. 7 (Through Interpreter) I 8 don't remember. It was halal meat. 9 Q. And what happened while you 10 were having lunch? 11 A. I went and washed my hands. 12 We finished the food, and I went and 13 washed my hands and we got moving. 14 Q. And then what happened? 15 A. While I was washing, I heard 16 two people talking Arabic. 17 Q. And you were washing your 18 hands in the washroom of the restaurant? 19 A. So it wasn't a bathroom. It 20 was a sink, a place to wash. 21 Q. And this was a bathroom with 22 a door on it, I assume? 23 MR. SHEN: He said it was 24 not a bathroom.</p>
<p style="text-align: right;">Page 394</p> <p>1 a barbecue. 2 Q. And you were driving by and 3 you saw that? 4 A. Yes. 5 Q. And you decided to stop at 6 that place? 7 A. Yes. 8 Q. And where did you park? 9 A. In front of the restaurant. 10 Q. And then what happened? 11 A. We went inside the 12 restaurant and we ate. 13 Q. What time was it? 14 A. (In English) I don't know. 15 (Through Interpreter) I 16 don't know. 17 Q. Can you tell us 18 approximately what time it was when you 19 went to the restaurant? 20 A. I don't remember. But it 21 was before dusk. 22 Q. Was it getting dark out? 23 A. It was before dusk, maybe an 24 hour before sunset.</p>	<p style="text-align: right;">Page 396</p> <p>1 THE WITNESS: A place to 2 wash. 3 INTERPRETER ABDEL-RAHMAN: A 4 sink is a good word. 5 THE WITNESS: It was a sink. 6 There was a sink. 7 BY MR. POUNIAN: 8 Q. And what did you hear when 9 you were at the sink? 10 A. I heard them speaking 11 Arabic. 12 Q. Who? 13 A. Those two people. 14 Q. What two people? 15 A. Called Nawaf and Khalid -- 16 Nawaf and Khalid. 17 Q. And did you talk to them? 18 A. When I heard them, I greeted 19 them, peace be on you. 20 Q. And did you have a 21 conversation with them? 22 A. Yes. They said, and peace 23 be on you. 24 Q. And where was Osama at that</p>

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<p style="text-align: right;">Page 397</p> <p>1 time?</p> <p>2 A. At the table.</p> <p>3 Q. And where were you and Nawaf</p> <p>4 and Khalid?</p> <p>5 A. Up front at a table next by.</p> <p>6 Because I washed my hands, and I was</p> <p>7 walking back. There was our table and</p> <p>8 their table was next to ours.</p> <p>9 Q. Were they sitting at their</p> <p>10 table already?</p> <p>11 A. Yes.</p> <p>12 Q. Were they eating already?</p> <p>13 A. They finished, like us.</p> <p>14 They were getting done like us.</p> <p>15 Q. So they had been sitting</p> <p>16 next to you at the restaurant before you</p> <p>17 went to wash your hands?</p> <p>18 A. No, they were behind me.</p> <p>19 Q. But they had been sitting</p> <p>20 behind you at the restaurant while you --</p> <p>21 before you went to wash your hands?</p> <p>22 A. Yes.</p> <p>23 Q. And how far away was their</p> <p>24 table from your table?</p>	<p style="text-align: right;">Page 399</p> <p>1 am I correct?</p> <p>2 A. Yes.</p> <p>3 Q. And Osama could not speak</p> <p>4 Arabic; is that right?</p> <p>5 A. I interpreted for him. I</p> <p>6 thought they were from the Gulf area,</p> <p>7 they didn't look like Saudis at first.</p> <p>8 Q. You interpreted for Osama?</p> <p>9 A. I interpreted for Osama, and</p> <p>10 Osama understood a little bit.</p> <p>11 Q. And what was the</p> <p>12 conversation that you had?</p> <p>13 A. Ordinary conversation.</p> <p>14 Where do you live? I said, we live in</p> <p>15 San Diego. And I told them that we were</p> <p>16 on our -- we were going back home to San</p> <p>17 Diego now and that San Diego was a</p> <p>18 beautiful city with nice weather.</p> <p>19 Q. And did you learn that they</p> <p>20 were from Saudi Arabia?</p> <p>21 A. Initially I didn't know they</p> <p>22 were from Saudi Arabia. I thought they</p> <p>23 were from the Gulf area.</p> <p>24 But then when they spoke,</p>
<p style="text-align: right;">Page 398</p> <p>1 A. (In English) Two meters.</p> <p>2 (Through Interpreter) Maybe</p> <p>3 2 meters.</p> <p>4 Q. And the first time you heard</p> <p>5 them was when you went to wash your</p> <p>6 hands?</p> <p>7 A. Yes.</p> <p>8 Q. And they were seated at</p> <p>9 their table when you heard them?</p> <p>10 A. Yes. Because the road to</p> <p>11 the sink passes by them.</p> <p>12 Q. And how far was the sink</p> <p>13 from their table?</p> <p>14 A. From the table, perhaps 2</p> <p>15 meters also.</p> <p>16 Q. And did you have a</p> <p>17 conversation with Nawaf and Khalid?</p> <p>18 A. Yes. May peace be upon you,</p> <p>19 may peace be upon you.</p> <p>20 Q. Did you say anything else?</p> <p>21 A. No. They spoke with me and</p> <p>22 with Osama, but -- okay. I'll wait for</p> <p>23 the question to answer.</p> <p>24 Q. You spoke to them in Arabic;</p>	<p style="text-align: right;">Page 400</p> <p>1 they said they were from Saudi Arabia.</p> <p>2 Q. And where in Saudi Arabia</p> <p>3 were they from?</p> <p>4 A. Mecca.</p> <p>5 Q. And they told you that when</p> <p>6 you first met them?</p> <p>7 A. Yes. They told me and told</p> <p>8 Osama at the same time, because we were</p> <p>9 together.</p> <p>10 Q. And did you discuss Mecca</p> <p>11 with them?</p> <p>12 A. No.</p> <p>13 Q. Did you tell them that you</p> <p>14 were from Mecca?</p> <p>15 A. No.</p> <p>16 Q. You grew up in the Mecca</p> <p>17 area, didn't you, sir?</p> <p>18 A. In Jeddah, which is in the</p> <p>19 same principality as Mecca.</p> <p>20 Q. Sir, have you lived in Mecca</p> <p>21 before?</p> <p>22 A. No.</p> <p>23 Q. Have you lived in the Mecca</p> <p>24 area before?</p>

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<p style="text-align: right;">Page 401</p> <p>1 MR. SHEN: Objection to the</p> <p>2 form. Just clarify, please.</p> <p>3 BY MR. POUNIAN:</p> <p>4 Q. Did you tell Nawaf and</p> <p>5 Khalid that you were from Mecca?</p> <p>6 A. I am not from Mecca.</p> <p>7 Q. Were you born in Mecca or</p> <p>8 near Mecca?</p> <p>9 A. No.</p> <p>10 Q. Where were you born, sir?</p> <p>11 A. (In English) In a small</p> <p>12 village in Hagar --</p> <p>13 (Through Interpreter) In a</p> <p>14 small village by the name of Hagar.</p> <p>15 Q. And how far is that from</p> <p>16 Mecca?</p> <p>17 A. (In English) Maybe five</p> <p>18 hours.</p> <p>19 Q. Did you tell Khalid and</p> <p>20 Nawaf where you were from?</p> <p>21 A. They could tell the accent</p> <p>22 without me saying it.</p> <p>23 Q. Did you tell Khalid and</p> <p>24 Nawaf where you were from?</p>	<p style="text-align: right;">Page 403</p> <p>1 you were talking to them?</p> <p>2 A. I really don't remember if I</p> <p>3 was standing or not.</p> <p>4 Q. Well, you said you were</p> <p>5 washing your hands and you overheard them</p> <p>6 at their table; is that right?</p> <p>7 A. Yes.</p> <p>8 Q. And then did you approach</p> <p>9 them at their table?</p> <p>10 A. No, they came to my table.</p> <p>11 Q. And did they sit down with</p> <p>12 you?</p> <p>13 A. I don't believe so. We were</p> <p>14 leaving already.</p> <p>15 Q. So they were standing and</p> <p>16 talking to you while you were seated?</p> <p>17 A. I don't remember. I don't</p> <p>18 think that -- I don't think that I was</p> <p>19 sitting while they were standing. I</p> <p>20 really don't remember whether we were</p> <p>21 sitting or standing. The whole thing</p> <p>22 lasted two minutes or less.</p> <p>23 Q. And what happened then?</p> <p>24 A. We just went back to San</p>
<p style="text-align: right;">Page 402</p> <p>1 A. No.</p> <p>2 Q. Did you give Khalid and</p> <p>3 Nawaf your address?</p> <p>4 A. No.</p> <p>5 Q. Did you give them your phone</p> <p>6 number?</p> <p>7 A. I don't remember. But I</p> <p>8 told them that we lived close to the</p> <p>9 Islamic Center in San Diego.</p> <p>10 Q. What else did you tell them?</p> <p>11 A. There was not much of a</p> <p>12 conversation. It was, like, a two-minute</p> <p>13 conversation.</p> <p>14 (In English) Then back to</p> <p>15 San Diego.</p> <p>16 (Through Interpreter) Then</p> <p>17 we went back to San Diego.</p> <p>18 Q. So you estimate the length</p> <p>19 of your conversation as two minutes?</p> <p>20 A. Approximately.</p> <p>21 Q. And where did the</p> <p>22 conversation take place?</p> <p>23 A. At the restaurant.</p> <p>24 Q. And were you standing when</p>	<p style="text-align: right;">Page 404</p> <p>1 Diego.</p> <p>2 Q. Did you say anything to</p> <p>3 Khalid and Nawaf when you left?</p> <p>4 A. No.</p> <p>5 Q. Where did they go?</p> <p>6 A. I don't know. We left right</p> <p>7 away.</p> <p>8 Q. Did they stay in the</p> <p>9 restaurant when you left?</p> <p>10 A. I don't remember.</p> <p>11 Q. Where did you leave them?</p> <p>12 A. We were inside the</p> <p>13 restaurant. We were leaving, and they</p> <p>14 also were leaving. But when we left, I</p> <p>15 don't know if they left also or if they</p> <p>16 remained in the restaurant.</p> <p>17 Q. So where did you say goodbye</p> <p>18 to them?</p> <p>19 A. At the same moment -- at the</p> <p>20 same moment. It was not that long of a</p> <p>21 time. Just Salaam-Alaikum, we live in</p> <p>22 San Diego, we are leaving now. And we</p> <p>23 left.</p> <p>24 Q. And where did you go from</p>

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<p>1 there?</p> <p>2 A. Back home.</p> <p>3 Q. And did you try to visit the</p> <p>4 King Fahad Mosque?</p> <p>5 A. On that day?</p> <p>6 Q. Yes.</p> <p>7 A. Yes, we wanted to go to King</p> <p>8 Fahad Mosque, but we got lost. Then we</p> <p>9 departed right away.</p> <p>10 Q. When did you want to go to</p> <p>11 the King Fahad Mosque?</p> <p>12 A. On our way back to San</p> <p>13 Diego, we wanted to stop by King Fahad</p> <p>14 Mosque. But I got lost and we were</p> <p>15 exhausted, so I decided just to head</p> <p>16 home.</p> <p>17 Q. Why were you exhausted?</p> <p>18 A. Because of the long travel</p> <p>19 from San Diego to Los Angeles. I drove</p> <p>20 from San Diego to Los Angeles, then there</p> <p>21 was the filling out of the applications</p> <p>22 and picking up the moshaffs. That all</p> <p>23 took time and effort.</p> <p>24 Q. How long were you at the</p>	<p>1 Q. On the other side of Balboa?</p> <p>2 A. I don't know.</p> <p>3 Q. Well, when you say he lived</p> <p>4 close, where was it that he lived?</p> <p>5 A. I don't know. I don't know</p> <p>6 if it was on the other side or not. But</p> <p>7 I would say that it was about a</p> <p>8 five-minute walk.</p> <p>9 Q. And had you gone to his</p> <p>10 apartment before?</p> <p>11 A. No.</p> <p>12 Q. Had he been to your</p> <p>13 apartment?</p> <p>14 A. Yes, he did come to my</p> <p>15 apartment.</p> <p>16 Q. And how many times?</p> <p>17 A. (In English) I don't</p> <p>18 remember.</p> <p>19 (Through Interpreter) I</p> <p>20 don't remember.</p> <p>21 Q. Did he know your children?</p> <p>22 A. Yes.</p> <p>23 Q. And what was his</p> <p>24 relationship with your children?</p>
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<p>1 consulate?</p> <p>2 A. I don't remember.</p> <p>3 Q. What time of day was it when</p> <p>4 you drove back to San Diego?</p> <p>5 A. For the return, it was</p> <p>6 around sunset time, perhaps shortly after</p> <p>7 sunset or shortly before. I believe so.</p> <p>8 Q. Was it dark during your</p> <p>9 drive to San Diego?</p> <p>10 A. I don't remember.</p> <p>11 Q. What did you do when you got</p> <p>12 back to San Diego?</p> <p>13 A. I went home.</p> <p>14 Q. Did you take Omar to his</p> <p>15 home -- I'm sorry.</p> <p>16 Did you take Osama to his</p> <p>17 home?</p> <p>18 A. No. Osama lived close to</p> <p>19 us, so it was a walking distance. He</p> <p>20 just walked.</p> <p>21 Q. And where was that, that he</p> <p>22 lived?</p> <p>23 A. I don't know. But close to</p> <p>24 us.</p>	<p>1 A. No relationship. No</p> <p>2 relationship.</p> <p>3 Q. What time did you get home?</p> <p>4 A. I don't remember.</p> <p>5 MR. POUNIAN: Can we show</p> <p>6 the witness Exhibit-463, please?</p> <p>7 And I just want to take us to Page</p> <p>8 6644, please.</p> <p>9 MR. SHEN: Can you give us a</p> <p>10 Bates number, please?</p> <p>11 MR. POUNIAN: It's [REDACTED] is</p> <p>12 the Bates number of this page.</p> <p>13 MR. SHEN: What's the first</p> <p>14 document?</p> <p>15 MR. POUNIAN: It's -- good</p> <p>16 question. They put the stamp over</p> <p>17 it. It's -- I believe that it's</p> <p>18 [REDACTED] Hold on a second.</p> <p>19 MS. INT-HOUT: The exhibit</p> <p>20 has been uploaded to the marked</p> <p>21 exhibit folder.</p> <p>22 BY MR. POUNIAN:</p> <p>23 Q. Sir, do you recognize this</p> <p>24 document?</p>

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<p style="text-align: right;">Page 409</p> <p>1 A. Yes.</p> <p>2 Q. And am I correct, is this</p> <p>3 your -- the passport that was issued to</p> <p>4 you in 1995?</p> <p>5 A. Yes.</p> <p>6 Q. And it was issued in the</p> <p>7 Holy Capital.</p> <p>8 Do you see that, sir?</p> <p>9 A. Yes.</p> <p>10 Q. And that's Mecca?</p> <p>11 A. Yes.</p> <p>12 Q. And why was your passport</p> <p>13 issued in Mecca?</p> <p>14 A. (In English) It doesn't</p> <p>15 matter.</p> <p>16 (Through Interpreter) In</p> <p>17 English, it doesn't matter.</p> <p>18 In Arabic, you can get a</p> <p>19 passport issued in -- anywhere in the</p> <p>20 Kingdom. You can get a passport issued</p> <p>21 in any place in the Kingdom.</p> <p>22 Q. Why did you get your</p> <p>23 passport issued in Mecca when you're</p> <p>24 saying you didn't ever live there?</p>	<p style="text-align: right;">Page 411</p> <p>1 Q. Do you know, sir, why the</p> <p>2 photographs on these two passports are</p> <p>3 identical?</p> <p>4 A. When I went to the</p> <p>5 consulate, I had the older pictures with</p> <p>6 me. And then the newer pictures that I</p> <p>7 took were different. And this one got</p> <p>8 put on the passport. They said this is</p> <p>9 better to place on the passport.</p> <p>10 Because the other pictures,</p> <p>11 which I attached, were not the same like</p> <p>12 this, they were not the same quality like</p> <p>13 this.</p> <p>14 Q. And who did you have that</p> <p>15 conversation with?</p> <p>16 A. The reception.</p> <p>17 (In English) Immediately.</p> <p>18 (Through Interpreter) Right</p> <p>19 away, after I showed her the pictures,</p> <p>20 she said, this one goes on the passport</p> <p>21 and the others go with the forms.</p> <p>22 Q. So you brought with you old</p> <p>23 photographs?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 410</p> <p>1 A. It's not that I never lived</p> <p>2 there. I went to Mecca all the time. I</p> <p>3 went to Mecca frequently.</p> <p>4 MR. POUNIAN: Could we show</p> <p>5 this page together with the</p> <p>6 following page, [REDACTED] on the same</p> <p>7 screen?</p> <p>8 BY MR. POUNIAN:</p> <p>9 Q. Sir, could you identify what</p> <p>10 the second page is, [REDACTED] on the lower</p> <p>11 right-hand corner?</p> <p>12 A. Yes.</p> <p>13 Q. And what is that?</p> <p>14 A. This is a copy of my</p> <p>15 passport.</p> <p>16 Q. And this is the passport</p> <p>17 that you -- that was issued on February</p> <p>18 1st, 2000?</p> <p>19 A. Yes.</p> <p>20 Q. Now, do you understand --</p> <p>21 MR. POUNIAN: Can we show</p> <p>22 both side by side, the photograph</p> <p>23 pages?</p> <p>24 BY MR. POUNIAN:</p>	<p style="text-align: right;">Page 412</p> <p>1 Q. And you also had taken new</p> <p>2 photographs with your family?</p> <p>3 A. Yes.</p> <p>4 Q. And you also had photographs</p> <p>5 taken on the day that you went to the</p> <p>6 consulate at the place that Osama brought</p> <p>7 you to?</p> <p>8 A. Yes, yes.</p> <p>9 Q. And what's the photo that</p> <p>10 you had lost that you found again when</p> <p>11 you got home?</p> <p>12 A. I believe it's similar to</p> <p>13 this, one of these.</p> <p>14 Q. And how many of those photos</p> <p>15 did you have when you went to the</p> <p>16 consulate, the old photos?</p> <p>17 A. I was supposed to take four</p> <p>18 photos with me. But I believe that one</p> <p>19 or two of the photos got stuck in my</p> <p>20 pocket. And I got upset and I went ahead</p> <p>21 and had new pictures taken -- new photos</p> <p>22 taken.</p> <p>23 Q. Where were the 1995</p> <p>24 photographs taken, the ones that were in</p>

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: TERRORIST ATTACKS : 03-MDL-1570
ON SEPTEMBER 11, 2001 : (GBD) (SN)

- - -
JUNE 11, 2021
VOLUME III
THIS TRANSCRIPT CONTAINS
CONFIDENTIAL MATERIAL
- - -

Remote Videotaped
Deposition, taken via Zoom, of OMAR
AL-BAYOUMI, commencing at 7:04 a.m., on
the above date, before Amanda
Maslynsky-Miller, Certified Realtime
Reporter and Notary Public in and for the
Commonwealth of Pennsylvania.

- - -

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<p>1 - - -</p> <p>2 (It is hereby stipulated and</p> <p>3 agreed by and among counsel that</p> <p>4 sealing, filing and certification</p> <p>5 are waived; and that all</p> <p>6 objections, except as to the form</p> <p>7 of the question, will be reserved</p> <p>8 until the time of trial.)</p> <p>9 - - -</p> <p>10 VIDEO TECHNICIAN: We are</p> <p>11 now back on the record. My name</p> <p>12 is David Lane, a videographer for</p> <p>13 Golkow Litigation Services.</p> <p>14 Today's date is June 11th, 2021.</p> <p>15 Our time is 7:04 a.m. Eastern</p> <p>16 Standard Time.</p> <p>17 This remote video deposition</p> <p>18 is being held in the matter of the</p> <p>19 Terrorist Attacks on September</p> <p>20 11th, 2001. Our deponent today is</p> <p>21 Omar al-Bayoumi.</p> <p>22 All parties to this</p> <p>23 deposition are appearing remotely</p> <p>24 and have agreed to the witness</p>	<p>1 having been previously duly sworn,</p> <p>2 was further examined and testified</p> <p>3 as follows:</p> <p>4 - - -</p> <p>5 VIDEO TECHNICIAN: Please</p> <p>6 begin.</p> <p>7 - - -</p> <p>8 EXAMINATION</p> <p>9 - - -</p> <p>10 BY MR. POUNIAN:</p> <p>11 Q. Sir, in the year 2000, did</p> <p>12 you travel to Saudi Arabia?</p> <p>13 A. Yes.</p> <p>14 Q. And what was the purpose of</p> <p>15 your trip?</p> <p>16 A. The purpose for my trip was</p> <p>17 to go back to my work, first of all. And</p> <p>18 also to pursue my studies at Aston</p> <p>19 University.</p> <p>20 Q. And where did you return --</p> <p>21 where did you go to work in Saudi Arabia?</p> <p>22 A. My office.</p> <p>23 Q. And that was in Jeddah at</p> <p>24 Airways Engineering?</p>
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<p>1 being sworn in remotely.</p> <p>2 Due to the nature of remote</p> <p>3 reporting, please pause briefly</p> <p>4 before speaking so that all</p> <p>5 parties are heard completely.</p> <p>6 Our counsel will be noted on</p> <p>7 the stenographic record. The</p> <p>8 court reporter today is Amanda</p> <p>9 Miller.</p> <p>10 I want to remind the</p> <p>11 interpreters, as well as the</p> <p>12 witness, you're still under oath</p> <p>13 from yesterday.</p> <p>14 - - -</p> <p>15 BACHAR AL-HALABI, RODINA</p> <p>16 MIKHAIL and MARWAN ABDEL-RAHMAN</p> <p>17 were previously duly sworn to</p> <p>18 translate questions from the</p> <p>19 English language to the Arabic</p> <p>20 language and the answers from the</p> <p>21 Arabic language to the English</p> <p>22 language.</p> <p>23 - - -</p> <p>24 OMAR AL-BAYOUMI, after</p>	<p>1 A. Yes. Yes.</p> <p>2 Q. And did you have an office</p> <p>3 at that Airways Engineering building in</p> <p>4 Jeddah?</p> <p>5 A. Yes.</p> <p>6 Q. And can you describe the</p> <p>7 office to us?</p> <p>8 A. An ordinary office. Perhaps</p> <p>9 4 by 4 meters. It had a desk and a</p> <p>10 telephone, computer.</p> <p>11 Q. And did Alp Karli have an</p> <p>12 office nearby your office?</p> <p>13 A. Yes.</p> <p>14 Q. And what work did you do</p> <p>15 when you went back to Saudi Arabia at</p> <p>16 that time?</p> <p>17 A. It was auditing</p> <p>18 transactions, purchases, salaries. And</p> <p>19 secondments.</p> <p>20 Q. And did you receive a</p> <p>21 paycheck from the Presidency of Civil</p> <p>22 Aviation for the work that you did at</p> <p>23 that time?</p> <p>24 A. No. The aviation didn't</p>

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<p style="text-align: right;">Page 605</p> <p>1 Profile, was marked for 2 identification.) 3 - - - 4 MR. POUNIAN: Could we 5 just -- could we highlight the 6 photograph here, please? And can 7 you expand that? 8 BY MR. POUNIAN: 9 Q. Sir, is that the man we've 10 referred to as Omar Hammerman? 11 A. Yes. 12 Q. And that's the man we also 13 described as Omar the American? 14 A. Yes. Omar Hammerman, Omar 15 Al Amriki, American, yes. 16 MR. POUNIAN: We will 17 suspend our questioning right now 18 subject to our objections. 19 MR. SHEN: Go ahead, Robert. 20 MR. KRY: Thanks, Andy. 21 - - - 22 EXAMINATION 23 - - - 24 BY MR. KRY:</p>	<p style="text-align: right;">Page 607</p> <p>1 summarizes your work history at the PCA. 2 MR. KRY: If we could show 3 the Arabic version. 4 BY MR. KRY: 5 Q. Do you recognize this as an 6 accurate summary of your work history at 7 the PCA? 8 THE WITNESS: Yes. 9 BY MR. KRY: 10 Q. It indicates that you began 11 work at the PCA in 1977 and retired in 12 2014. 13 Are those dates accurate? 14 A. I don't know those dates. 15 But I know the dates in Arabic. It says 16 it on top, 1397 to 1435. These dates are 17 accurate. 18 MR. CARTER: Robert, do you 19 have a translation? 20 MR. KRY: Yes. It should be 21 on the exhibit share. 22 MR. CARTER: I'm sorry, it's 23 not on the screen. Thanks. 24 BY MR. KRY:</p>
<p style="text-align: right;">Page 606</p> <p>1 Q. Mr. al-Bayoumi, my name is 2 Robert Kry. I represent Dallah Avco in 3 this case. 4 Thank you for speaking with 5 us. 6 A. (The Witness) Thank you. 7 Q. I apologize that the 8 deposition is proceeding on a Friday, I 9 know that's inconvenient. And if you 10 need to take breaks for prayers, please 11 let us know. 12 A. (The Witness) Thank you. 13 MR. KRY: I'm going to mark 14 as Exhibit-718 a document that was 15 produced by the Kingdom in this 16 case at KSA 629. 17 - - - 18 (Whereupon, Exhibit 19 al-Bayoumi-718, KSA0000000629, 20 Statement of Jobs, was marked for 21 identification.) 22 - - - 23 BY MR. KRY: 24 Q. This is a document that</p>	<p style="text-align: right;">Page 608</p> <p>1 Q. Mr. al-Bayoumi, based on 2 those dates, at the time you were 3 seconded to the ANSS project in 1995, had 4 you already been working at the PCA for 5 18 years by that point? 6 A. Yes. 7 Q. And after you left the ANSS 8 project in 2002, did you go back to work 9 at the PCA for another 12 years after 10 that? 11 A. Yes. 12 Q. Next I'm going to show you a 13 document that was previously marked 14 Anqari Exhibit-361, produced at KSA 3168. 15 This is an organization 16 chart that the Kingdom produced in this 17 case showing the PCA's Airways 18 Engineering directorates. 19 Near the top of the chart, 20 there's a box labeled, Director general, 21 Airways Engineering. 22 A. Yes. 23 Q. Do you recognize that 24 position as the one that Mohammad</p>

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<p style="text-align: right;">Page 609</p> <p>1 al-Salmi held between 1994 and 2002?</p> <p>2 A. Yes.</p> <p>3 Q. On the right-hand side,</p> <p>4 there's a box labeled, Contracts and</p> <p>5 finance control.</p> <p>6 Do you recognize that as the</p> <p>7 unit that Alp Karli managed between 1994</p> <p>8 and 2002?</p> <p>9 A. I don't remember the date</p> <p>10 exactly. But yes.</p> <p>11 Q. At the bottom, there's a box</p> <p>12 labeled, Logistics manager.</p> <p>13 During the 1995 to 1997</p> <p>14 timeframe, do you know who was in charge</p> <p>15 of that unit?</p> <p>16 A. No.</p> <p>17 Q. Have you heard of a man</p> <p>18 named Samuel Coombs?</p> <p>19 INTERPRETER AL-HALABI: What</p> <p>20 was the last name, counselor?</p> <p>21 MR. KRY: Samuel Coombs,</p> <p>22 C-O-O-M-B-S.</p> <p>23 THE WITNESS: I don't</p> <p>24 remember.</p>	<p style="text-align: right;">Page 611</p> <p>1 If you notice -- there is</p> <p>2 something you need to know to distinguish</p> <p>3 by.</p> <p>4 Would you allow me to</p> <p>5 explain?</p> <p>6 Q. Please do.</p> <p>7 A. There are government</p> <p>8 officials, there are sections that belong</p> <p>9 under contracts.</p> <p>10 Q. Thank you.</p> <p>11 Earlier this week you</p> <p>12 testified that Alp Karli was an Air</p> <p>13 Navigation System Support employee or</p> <p>14 ANSS employee.</p> <p>15 Do you remember that</p> <p>16 testimony?</p> <p>17 A. Yes.</p> <p>18 Q. When did you first learn</p> <p>19 about the Air Navigation System Support</p> <p>20 project?</p> <p>21 A. I learned that when I was in</p> <p>22 PCA.</p> <p>23 Q. Do you remember</p> <p>24 approximately what year you first learned</p>
<p style="text-align: right;">Page 610</p> <p>1 BY MR. KRY:</p> <p>2 Q. Is this organizational chart</p> <p>3 for the Airways Engineering directorate</p> <p>4 accurate, to the best of your knowledge?</p> <p>5 A. I don't know. I don't know</p> <p>6 if it's accurate or not. I don't know if</p> <p>7 there's something missing. But that's</p> <p>8 it, yes.</p> <p>9 Q. Do you see anything specific</p> <p>10 in the chart that you think is</p> <p>11 inaccurate?</p> <p>12 A. Inaccurate? I don't know.</p> <p>13 But what's accurate is --</p> <p>14 (The Witness) Contracts and</p> <p>15 finance control.</p> <p>16 (Through Interpreter)</p> <p>17 Contracts and finance control. That's</p> <p>18 accurate.</p> <p>19 Q. And does this chart refresh</p> <p>20 your recollection that Alp Karli, as the</p> <p>21 head of the contracts and finance unit,</p> <p>22 reported to al-Salmi, the director</p> <p>23 general of Airways Engineering?</p> <p>24 A. His manager is al-Salmi.</p>	<p style="text-align: right;">Page 612</p> <p>1 about the ANSS project?</p> <p>2 A. No, I don't remember.</p> <p>3 Q. Did you understand that the</p> <p>4 company Dallah Avco had a contract with</p> <p>5 the PCA to provide certain services in</p> <p>6 connection with the ANSS project?</p> <p>7 A. Yes.</p> <p>8 Q. Was one of those services</p> <p>9 manpower procurement or recruiting for</p> <p>10 the project?</p> <p>11 A. No. There was a time where</p> <p>12 they were bringing Saudis to -- in the</p> <p>13 program. They called it the Saudization,</p> <p>14 which is bringing Saudi nationals into</p> <p>15 the program.</p> <p>16 Q. Were there also foreign</p> <p>17 nationals?</p> <p>18 A. Many.</p> <p>19 Q. And was one of Dallah Avco's</p> <p>20 responsibilities, in connection with the</p> <p>21 project, to procure or recruit those</p> <p>22 foreign employees to work on the project?</p> <p>23 A. The question is not clear.</p> <p>24 Q. Well, you testified that Alp</p>

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<p>1 Karli was an ANSS employee. 2 Were there other ANSS 3 employees within the Airways Engineering 4 directorate who were providing work for 5 Airways Engineering? 6 A. Karli did not bring in 7 employees. But there was a Saudization 8 program, meaning bringing Saudi nationals 9 instead of foreign nationals. 10 Q. Did Dallah Avco also provide 11 payroll processing services for ANSS 12 employees, like Alp Karli? 13 A. I do not know. 14 Q. Do you know, when Alp Karli 15 received his paycheck as an ANSS employee 16 working in the Airways Engineering 17 directorate, that paycheck was sent to 18 him by Dallah Avco? 19 INTERPRETER MIKHAIL: 20 Counsel, can you please repeat the 21 question one last time? 22 BY MR. KRY: 23 Q. Do you know, when Alp Karli 24 received his paycheck as an ANSS employee</p>	<p>1 Engineering personnel as part of one 2 integrated team? 3 A. Yes. 4 Q. Do you know whether any ANSS 5 employees working in the Airways 6 Engineering directorate had been 7 recruited to those Airways Engineering 8 positions by Dallah Avco? 9 A. Yes. 10 Q. I asked you earlier about a 11 Mr. Al Awad. His full name was Mr. 12 Azhari Al Awad. 13 Does that -- 14 A. (The Witness) Yes, Azhari. 15 (Through Interpreter) Yes. 16 The answer is yes, Azhari, that's his 17 name. 18 Q. Do you recognize him as 19 another ANSS employee that worked in 20 contracts and finance control? 21 A. Yes. 22 Q. Separate from the PCA 23 Airways Engineering offices where Airways 24 Navigation System Support employees</p>
Page 614	Page 616
<p>1 working in the Airways Engineering 2 directorate, was that paycheck sent to 3 him by Dallah Avco? 4 A. No. 5 Q. Do you mean no, you don't 6 know; or -- 7 A. (The Witness) No, I don't 8 know. 9 (Through Interpreter) No, I 10 do not know. 11 Q. In addition to Alp Karli, 12 were there other ANSS employees in the 13 contracts and finance control unit? 14 A. Yes. 15 Q. Was one of those employees, 16 for example, a Mr. Al Awad? 17 A. I do not know. No, I don't 18 know. 19 Q. Did those ANSS employees 20 work in the Airways Engineering 21 directorate offices? 22 A. Yes. 23 Q. Would those ANSS employees 24 work side by side with other Airways</p>	<p>1 worked, were you aware that Dallah Avco, 2 the company, also had its own offices? 3 Separate from those? 4 A. Yes. They were government 5 employees and there were foreign 6 employees that were working on the same 7 project, yes. 8 Q. Do you know Dallah Avco's 9 former recruitment manager, Jaber 10 Khalifa, K-H-A-L-I-F-A? 11 A. No. 12 Q. Do you know Dallah Avco's 13 former director of manpower services, a 14 man named Riaz Khan? 15 A. No. 16 Q. Have you ever met the former 17 chairman of Dallah Avco group, Alalwi 18 Kamel? 19 A. Yes. Kamel, I did not meet 20 him, but I know that he was a manager of 21 executive personnel. But I do not know 22 him. 23 So he wasn't responsible for 24 the employees. He was a manager at</p>

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<p>1 Dallah. I do not know what was his exact 2 post. 3 Q. Did Mr. Kamel work in the 4 PCA's Airways Engineering offices with 5 you and Alp Karli, or did he work in 6 Dallah Avco's offices? 7 A. No, he was at Dallah. 8 Q. When Dallah Avco recruited 9 someone like Mr. Azhari to the ANSS 10 project, did Dallah Avco have any ongoing 11 responsibility to direct and supervise 12 the work of those ANSS employees working 13 in Airways Engineering? 14 A. I do not know. 15 Q. Throughout today's 16 deposition, I'm going to refer to ANSS 17 employees and also to Dallah Avco 18 employees. 19 When I refer to ANSS 20 employees, I mean people like Alp Karli 21 or Mr. Al Awad, who received -- who may 22 have received paychecks from Dallah Avco 23 but who work in Airways Engineering 24 offices under the direction and</p>	<p>1 Q. Well, you testified that Alp 2 Karli worked in Airways Engineering in an 3 office next door to you and that he 4 reported to al-Salmi. 5 And then you also testified 6 that Alawi Kamel did not work in Airways 7 Engineering with you two and instead 8 worked at Dallah headquarters. 9 And so I'm going to refer to 10 people like Alp Karli as ANSS employees, 11 and I'm going to refer to people like 12 Alawi Kamel as Dallah Avco employees. 13 Do you understand the 14 distinction I'm drawing there? 15 A. Yes. 16 Q. On Wednesday of this week, 17 you testified that Alp Karli reported to 18 al-Salmi, but you also mentioned at one 19 point that he reported to Dallah Avco. 20 And I would like to ask you some 21 questions to better understand what you 22 meant by that. 23 A. So what I meant is Karli -- 24 Mr. Karli would manage the work at ANSS.</p>
Page 618	Page 620
<p>1 supervision of Airways Engineering. 2 When I refer to Dallah 3 Avco's employees, I mean people like 4 Alawi Kamel who worked in Dallah Avco's 5 offices. 6 And I realize that some 7 people may use those terms differently. 8 But I want you to understand and I want 9 you to be clear about how I am using 10 those terms when I ask my questions. 11 Do you understand the 12 distinction I'm making there between 13 people like Alp Karli who worked in 14 Airways Engineering and people like Alawi 15 Kamel who worked at Dallah Avco's 16 headquarters? 17 MR. SHEN: I'm going to 18 object. Objection to form. 19 You can answer, Mr. Bayoumi, 20 if you understand that distinction 21 that Mr. Kry has drawn. 22 THE WITNESS: No, I don't 23 understand the difference. 24 BY MR. KRY:</p>	<p>1 However, there were some transactions 2 that he would refer to Salmi for these 3 transactions. Also, there were other 4 times that he would go to Dallah and hold 5 meetings there, and that would be at 6 Dallah. 7 Q. Did you ever see Alawi Kamel 8 come to the Airways Engineering offices 9 and instruct Alp Karli how to perform his 10 work at Airways Engineering? 11 A. No. 12 Q. Did you ever see anyone else 13 come from Dallah headquarters to Airways 14 Engineering to direct Alp Karli how to 15 conduct his work? 16 A. No. But people came from 17 Dallah. Also, Karli was a big manager. 18 He was not somebody to take instructions. 19 He was someone to give instructions. 20 Q. Did Karli ever take 21 instructions from al-Salmi? 22 A. I do not know. 23 Q. Other than the fact that 24 there were times that Alp Karli attended</p>

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<p>1 meetings at the Dallah offices, are you 2 aware of any other specific facts showing 3 that Dallah Avco directed and supervised 4 Alp Karli's work at Airways Engineering? 5 A. No. 6 Q. When Alp Karli went to 7 Dallah offices to attend meetings, do you 8 know what the subject of those meetings 9 was? 10 A. No. 11 Q. All right. 12 MR. KRY: I'm going to mark 13 as Exhibit-719 a document produced 14 at KSA 1054. 15 This is a PCA form, dated 16 November 23rd, 1993, concerning 17 your transfer from the PCA's 18 financial administration 19 department to Airways Engineering. 20 BY MR. KRY: 21 Q. Mr. al-Bayoumi, why did you 22 transfer from financial administration to 23 Airways Engineering in 1993? 24 A. It was for the purpose of</p>	<p>1 MR. NITZ: I'll get that one 2 up. And we'll call this one 719. 3 MR. KRY: Thank you. 4 - - - 5 (Whereupon, Exhibit 6 al-Bayoumi-719, KSA0000004515, 7 Human Resources Department Letter, 8 was marked for identification.) 9 - - - 10 BY MR. KRY: 11 Q. Mr. al-Bayoumi? 12 A. (In English) Yes. 13 Q. Do you see that al-Salmi 14 signed this form confirming that you had 15 begun work at Airways Engineering in 16 1993? 17 A. Yes. 18 Q. And do you recognize that 19 signature as al-Salmi's on the left-hand 20 side of the document? 21 A. Yes. 22 Q. To your knowledge, did 23 anyone at Dallah Avco play any role in 24 your transfer from financial</p>
Page 622	Page 624
<p>1 the Saudization of the posts at the 2 Airways Engineering. 3 MR. KRY: Give me one 4 moment. 5 - - - 6 (Whereupon, a discussion off 7 the record occurred.) 8 - - - 9 MR. NITZ: It's in there, 10 it's under Exhibit-364 because 11 it's been previously marked. So 12 it should be in there under 364. 13 - - - 14 (Whereupon, a discussion off 15 the record occurred.) 16 - - - 17 MR. KRY: And I may have 18 misspoken on the Bates number. 19 This one was produced at KSA 4515. 20 MR. NITZ: No, you got it 21 right, Robert. This is 1054. 22 MR. KRY: I think there's a 23 discrepancy in the documents. Can 24 I put up KSA 4515?</p>	<p>1 administration to Airways Engineering? 2 A. No. 3 Q. This form identifies 4 al-Salmi as your immediate supervisor in 5 Airways Engineering. 6 Were you aware that PCA 7 records listed al-Salmi as your immediate 8 supervisor? 9 A. He was not my immediate 10 supervisor, but anybody in the government 11 sector had to report to him. 12 As for my direct supervisor, 13 it was Alp Karli. 14 MR. NITZ: It seems like we 15 might have lost Robert. 16 VIDEO TECHNICIAN: Do you 17 want to go off record? 18 MR. NITZ: Why don't we take 19 five minutes. 20 VIDEO TECHNICIAN: We're 21 going off the record. The time is 22 9:44 a.m. 23 - - - 24 (Whereupon, a brief recess</p>

24 (Pages 621 to 624)

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<p>1 was taken.) 2 - - - 3 VIDEO TECHNICIAN: We're 4 back on the record at 9:50 a.m. 5 BY MR. KRY: 6 Q. Mr. al-Bayoumi, I'm going to 7 show you an exhibit previously marked 8 Exhibit-708. This is the summary of your 9 interview with the 9/11 Commission. 10 The second paragraph states 11 that, Omar al-Bayoumi first came to the 12 U.S. around August 1994 to enroll in an 13 ESL, English as a second language, 14 program at San Diego State University. 15 Is that an accurate 16 statement of the reason why you went to 17 the United States? 18 A. Yes. 19 Q. On the second page, the 20 memorandum states, in the second full 21 paragraph, Omar al-Bayoumi stressed he 22 very much enjoys being a student despite 23 his relatively advanced age. 24 Do you remember telling the</p>	<p>1 Saudi Arabia. 2 Is that a correct statement? 3 A. Yes. 4 Q. And the reference to a PCA 5 unit in Jeddah, was that the contracts, 6 finance and controls unit we looked at in 7 the organizational chart a few moments 8 ago? 9 A. No. 10 Q. What's -- 11 A. The answer is no. 12 (The Witness) No. 13 Q. What unit responsible for 14 finances and contracts were you referring 15 to when you made that statement to the 16 9/11 Commission? 17 A. I don't understand the 18 question. 19 Q. Did Alp Karli work in an 20 Airways Engineering unit in Jeddah 21 responsible for finances and contracts? 22 INTERPRETER MIKHAIL: He 23 seems to be frozen. 24 Interpreter will --</p>
Page 626	Page 628
<p>1 9/11 Commission that? 2 - - - 3 (Whereupon, a discussion off 4 the record occurred.) 5 - - - 6 THE WITNESS: It's not like 7 I really enjoyed being a student. 8 I have been a student all my life. 9 BY MR. KRY: 10 Q. The next sentence states, He 11 was selected to participate in further 12 education by his employer, PCA, based on 13 his knowledge of English and his ability 14 to teach accounting. 15 Is that an accurate 16 statement? 17 A. Yes. 18 Q. And then the next sentence 19 after that states, Omar al-Bayoumi's 20 education program was approved by his 21 boss, a Turkish American named Alp Karli, 22 who worked in Jeddah in a PCA unit 23 responsible for finances and contracts in 24 the field of aviation services within</p>	<p>1 INTERPRETER AL-HALABI: I'm 2 sorry, there's a thunderstorm 3 passing by, so it's affecting the 4 Internet, I believe. 5 MR. KRY: You and I both. 6 THE WITNESS: Yes. 7 BY MR. KRY: 8 Q. And was that Airways 9 Engineering unit the contracts, finance 10 and controls unit we looked at on the 11 organizational chart a few moments ago? 12 A. Yes, yes. 13 Q. Did Alp Karli, in fact, 14 approve your education program? 15 A. Yes. 16 Q. Was anyone else involved in 17 approving your education program? 18 A. I don't know. 19 MR. KRY: All right. Let's 20 mark as, I think we're on 21 Exhibit-720, a document produced 22 at PEC-KSA1-71. These are records 23 from San Diego State University. 24 - - -</p>

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<p>1 (Whereupon, Exhibit 2 al-Bayoumi-720, 3 PEC-KSA1-000071-0083, San Diego 4 State University Records, was 5 marked for identification.) 6 - - - 7 MR. KRY: And if we turn to 8 the page marked KSA 1-75. 9 BY MR. KRY: 10 Q. This is your progress report 11 for fall 1994. 12 This document states that 13 you had 92 percent attendance and 14 includes grades and comments on your 15 work. 16 Do you recognize this 17 document as an accurate report of your 18 studies at San Diego State University in 19 fall 1994? 20 A. I don't remember. 21 Q. Do you recognize the courses 22 listed on this transcript as the subjects 23 you studied at San Diego State University 24 in 1994?</p>	<p>1 were disconnected. Can you please 2 repeat the question? Because no 3 one heard it. 4 INTERPRETER AL-HALABI: 5 Okay. Of course. Thank you. 6 THE WITNESS: (The Witness) 7 Start again. 8 MR. BEETAR: I'm sorry, you 9 dropped off again. There is an 10 Internet issue. 11 THE WITNESS: I do not know. 12 MR. KRY: Let's turn to Page 13 KSA 1-79. And, actually, what I'm 14 looking for is the spring 1995 15 progress report. 16 I think I got the page 17 wrong. There you go. KSA 1-82. 18 BY MR. KRY: 19 Q. Mr. al-Bayoumi, do you 20 recognize this as an accurate progress 21 report for the studies you took at SDSU 22 in spring 1995? 23 A. Yes. 24 Q. Did Alp Karli approve these</p>
Page 630	Page 632
<p>1 A. Can you enlarge it a little 2 bit? 3 Yes. 4 Q. Why did you decide to take 5 these particular classes? 6 A. I remember, I think it was 7 part of the program available. 8 Q. Did you believe that these 9 courses would improve your job skills 10 when you returned to the PCA? 11 Strike that question. I'll 12 ask it differently. 13 Did you believe that these 14 courses would include your job skills 15 when you returned to Airways Engineering? 16 A. Yes. That's the beginning 17 of the English language, yes. 18 Q. You mentioned that Alp Karli 19 approved these studies. 20 Did anyone -- besides that, 21 did anyone at Dallah Avco have a role in 22 selecting the courses you would attend at 23 SDSU? 24 MR. BEETAR: Bachar, you</p>	<p>1 studies? 2 A. I don't know. It was an 3 entire program. It wasn't, like, one 4 semester here and there. It was an 5 entire program. 6 Q. To your knowledge, was 7 anyone else involved in approving these 8 studies in spring 1995? 9 A. I don't know. 10 Q. Was your desire to pursue 11 these studies at San Diego State 12 University the reason you came to the 13 United States in 1994? 14 A. The main reason for me was 15 to learn the English language first. 16 Then to try to continue my higher 17 education. But I couldn't. 18 Q. Did you ever tell anyone at 19 Dallah Avco that you were going to the 20 United States for some reason other than 21 pursuing educational studies? 22 A. No. The main reason was 23 education. 24 MR. KRY: I'm going to mark</p>

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<p>1 as Exhibit-720 now a document 2 produced at DA 1105. 3 MR. NITZ: Robert, I think 4 we're at 721. 5 MR. KRY: Thank you. 6 - - - 7 (Whereupon, Exhibit 8 al-Bayoumi-721, DA001105-1106, 9 12/6/94 Letter, was marked for 10 identification.) 11 - - - 12 MR. KRY: So we will mark as 13 Exhibit-721 this document produced 14 at DA 1105. 15 BY MR. KRY: 16 Q. This is a letter from Linda 17 Lawton at San Diego State University to 18 Mohammad al-Salmi, dated December 6th, 19 1994, which discusses some of your 20 options for further studies at SDSU. 21 Mr. al-Bayoumi, have you 22 seen this letter before? 23 INTERPRETER AL-HALABI: What 24 was the last name? I'm sorry,</p>	<p>1 time period, that you were insisting on a 2 specialized English course in accounting, 3 finance, contracts? 4 A. It's accounting and finance, 5 yes. No engineering. 6 I don't remember. I don't 7 remember exactly. 8 Q. Were those courses relevant 9 to your work at Airways Engineering? 10 A. Yes. If it was -- if it was 11 made available to me, it would help me a 12 lot. 13 MR. KRY: Let's mark as 14 Exhibit-722 a document produced at 15 KSA 1032. 16 - - - 17 (Whereupon, Exhibit 18 al-Bayoumi-722, 19 KSA0000001032-1033, 5/30/94 20 Letter, was marked for 21 identification.) 22 - - - 23 BY MR. KRY: 24 Q. This is an employee leave of</p>
Page 634	Page 636
<p>1 counselor. 2 MR. KRY: Lawton. It's on 3 the letter. L-A-W-T-O-N. 4 THE WITNESS: I think I've 5 seen it. 6 BY MR. KRY: 7 Q. When do you remember seeing 8 it? 9 A. (The Witness) A long time 10 ago. When I started. 11 Q. And, to your knowledge, did 12 Linda Lawton, or anyone else at SDSU, 13 send letters like these to Dallah Avco 14 concerning your education? 15 A. I don't know. 16 MR. KRY: If we can zoom in 17 on the last paragraph of this 18 page. 19 BY MR. KRY: 20 Q. The last sentence says, 21 He -- meaning you -- is insisting on a 22 specialized English course in 23 accounting/finance/contracts. 24 Do you recall, around this</p>	<p>1 absence request you submitted to the PCA 2 for a 90-day regular leave, which 3 ultimately started on August 28th, 1994. 4 Do you recall requesting a 5 90-day leave from the PCA that started on 6 August 28th, 1994? 7 A. Yes. 8 Q. Was the purpose of this 9 leave to pursue your educational studies 10 in San Diego? 11 A. It's not a leave. It's a 12 vacation. It's time off. 13 Q. Was the purpose of this time 14 off to pursue educational studies in San 15 Diego? 16 A. Yes. 17 Q. The second block on this 18 form is labeled, Official approval. 19 Do you recognize al-Salmi's 20 signature in that block? 21 A. Yes. 22 Q. To your knowledge, did 23 Dallah Avco have any role in approving 24 this time-off request?</p>

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<p>1 A. I do not know if it was 2 Dallah Avco. There are two initials here 3 before al-Salmi. But I do not know. 4 MR. KRY: Let's mark as 5 Exhibit-723 a document produced at 6 KSA 1040. 7 - - - 8 (Whereupon, Exhibit 9 al-Bayoumi-723, 10 KSA0000001040-1041, 11/6/94 11 Letter, was marked for 12 identification.) 13 - - - 14 BY MR. KRY: 15 Q. This is a November 6th, 16 1994, request for a 90-day exceptional 17 leave, starting November 27th, 1994. 18 Do you recall that after 19 your regular leave expired, you asked the 20 PCA for a 90-day exceptional leave? 21 A. Yes. 22 Q. And was the purpose of that 23 exceptional leave also to continue your 24 educational studies in the United States?</p>	<p>1 leave after the first 90-day exceptional 2 leave expired? 3 A. Yes. 4 Q. Was the purpose of that 5 leave also to continue your studies in 6 the United States? 7 A. Yes. 8 Q. Did al-Salmi sign this form, 9 too? 10 A. Yes. 11 Q. And, to your knowledge, did 12 Dallah Avco have any role in approving 13 this second exceptional leave? 14 A. I do not know. 15 MR. KRY: I'm going to show 16 you now an exhibit that was 17 previously marked Kamel 18 Exhibit-115, produced at DA 2267. 19 BY MR. KRY: 20 Q. This is a letter dated March 21 30th, 1994, from al-Salmi to a company in 22 Texas called Avco Overseas. 23 The letter states, You are 24 requested to pay the tuition for Mr. Omar</p>
Page 638	Page 640
<p>1 A. Yes. 2 Q. Do you recognize al-Salmi's 3 signature on this form, too? 4 A. Yes. 5 Q. And, to your knowledge, did 6 Dallah Avco have any role in approving 7 this request? 8 A. I do not know. 9 MR. KRY: Let's mark as 10 Exhibit-724 a document produced at 11 KSA 1046. 12 - - - 13 (Whereupon, Exhibit 14 al-Bayoumi-724, KSA0000001046, 15 2/7/1995 Letter, was marked for 16 identification.) 17 - - - 18 BY MR. KRY: 19 Q. This is a February 7th, 20 1995, request for a second 90-day 21 exceptional leave to start on February 22 27th, 1995. 23 Do you recall asking the PCA 24 for this additional second exceptional</p>	<p>1 al-Bayoumi of U.S. \$4,430. 2 And further down, it adds: 3 In addition, you are requested to pay 4 weekly living allowance up to 30 weeks of 5 U.S. \$600 to Mr. al-Bayoumi. 6 When you were studying at 7 SDSU in 1994 and 1995, did Avco Overseas, 8 in fact, pay your tuition and living 9 expenses, as stated in this letter? 10 A. I do not know. 11 Q. Who paid your tuition for 12 San Diego State University? 13 A. Who paid? I don't know. 14 Q. Do you recall that an ANSS 15 subcontractor paid your living expenses 16 during the time you were in San Diego? 17 A. I think so, yes. 18 Q. And do you recognize Avco 19 Overseas as a subcontractor that used to 20 provide services for the ANSS project? 21 A. I don't remember. 22 Q. Did you ever discuss these 23 subcontractor payments from Avco Overseas 24 with al-Salmi?</p>

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<p>1 A. I have nothing to do with 2 it. If I have to discuss anything, it 3 would be with my direct supervisor, Alp 4 Karli. 5 Q. Do you recall discussing 6 these subcontractor payments from Avco 7 Overseas with Alp Karli? 8 A. No. 9 Q. Do you have any 10 understanding why al-Salmi or Alp Karli 11 arranged for these payments to be made to 12 you indirectly through an ANSS project 13 subcontractor rather than just having the 14 PCA pay you directly? 15 A. So, no, the PCA has nothing 16 to do with it. Because I went there as 17 the Saudization program under the ANSS, 18 the one -- the ANSS was paying for the 19 project. The PSA had nothing to do with 20 it. 21 MR. KRY: Was that PCA? 22 INTERPRETER MIKHAIL: The 23 PCA had nothing to do with it, 24 yes.</p>	<p>1 you were studying in San Diego? 2 A. No. To start with, the 3 money was not enough. The funds were not 4 enough. 5 MR. KRY: Let's mark as 6 Exhibit-725 a document produced at 7 DA 2268. 8 - - - 9 (Whereupon, Exhibit 10 al-Bayoumi-725, DA002268-2269, 11 Presidency of Civil Aviation 12 Purchase Request, was marked for 13 identification.) 14 - - - 15 BY MR. KRY: 16 Q. This is a purchase 17 requisition. 18 And at the very bottom, it 19 states, Per PCA letter 3175/H/M 30 March 20 1994, please provide five economy-class 21 round-trip tickets. 22 Do you recall that Airways 23 Engineering arranged for the plane 24 tickets when your family traveled to the</p>
Page 642	Page 644
<p>1 BY MR. KRY: 2 Q. To your knowledge, did 3 Dallah Avco have any role in arranging 4 for Avco Overseas to pay tuition and 5 living expenses for you while you were at 6 SDSU? 7 A. I don't know. 8 Q. Did you, in fact, receive 9 the funds that you got from the 10 subcontractor to cover your education and 11 living expenses while you were in San 12 Diego? 13 INTERPRETER MIKHAIL: He's 14 asking for repetition. The 15 interpreter will repeat. 16 THE WITNESS: Yes. 17 BY MR. KRY: 18 Q. Did you ever use any of 19 those funds for any illegal purpose? 20 A. No. Impossible. 21 Q. And did you ever tell anyone 22 at Dallah Avco that you were going to use 23 these funds for any purpose other than 24 your education and living expenses while</p>	<p>1 United States with you for your 2 educational studies? 3 A. No. 4 Q. To your knowledge, did 5 anyone at Dallah Avco have any role in 6 connection with arranging those plane 7 tickets? 8 A. No, I don't know. 9 MR. KRY: Let's mark as 10 Exhibit-726 a document produced at 11 DA 2281. 12 - - - 13 (Whereupon, Exhibit 14 al-Bayoumi-726, DA002281, 9/10/94 15 Fax, was marked for 16 identification.) 17 - - - 18 BY MR. KRY: 19 Q. This is a September 10th, 20 1994, fax from Airways Engineering 21 directed to Avco Overseas. 22 The body of the fax states, 23 Request you pay Mr. Omar al-Bayoumi in 24 advance all his weekly living allowances</p>

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<p style="text-align: right;">Page 645</p> <p>1 instead of three installments and invoice 2 the ANSS III project account. 3 Do you know why al-Salmi 4 sent a letter to Avco Overseas asking 5 them to pay your weekly living allowances 6 in one lump sum instead of three 7 installments? 8 A. No, I don't know. 9 Q. Do you recognize al-Salmi's 10 signature at the bottom of that fax? 11 A. Yes. 12 Q. Next to the signature block, 13 do you see that there are a couple 14 initials? 15 MR. KRY: Can we zoom in on 16 this? 17 THE WITNESS: Yes. 18 BY MR. KRY: 19 Q. Do those initials indicate 20 to you that someone working under 21 al-Salmi's direction may have prepared a 22 draft of this document for Mr. al-Salmi 23 to sign? 24 A. No, I don't know.</p>	<p style="text-align: right;">Page 647</p> <p>1 Q. Okay. 2 MR. KRY: This is a 3 convenient time for a break. How 4 is the witness doing? 5 VIDEO TECHNICIAN: Going off 6 the record at 10:32 a.m. 7 - - - 8 (Whereupon, a brief recess 9 was taken.) 10 - - - 11 VIDEO TECHNICIAN: We're 12 back on the record at 10:42 a.m. 13 BY MR. KRY: 14 Q. Mr. al-Bayoumi, do you 15 recall before the break we saw that you 16 obtained one 90-day regular leave and two 17 90-day exceptional leaves from your civil 18 service job to pursue educational studies 19 in the United States? 20 A. Yes. 21 Q. Were you aware, at the time, 22 that under the Saudi Civil Service 23 Regulations, 90 days was the upper limit 24 on the amount of regular leave that a</p>
<p style="text-align: right;">Page 646</p> <p>1 Q. Looking at the first 2 initials, they look like SGC. 3 Do you recognize those as 4 the initials of Samuel G. Coombs? 5 A. I don't know. 6 Q. And then the bottom initials 7 look like MB. 8 Do you recognize those as 9 the initials of Mohammad Basharahil? 10 A. No. 11 Q. Do you know if Mr. Coombs 12 and Mr. Basharahil were ANSS employees in 13 the logistics unit of Airways 14 Engineering? 15 A. What I know is they are with 16 the Airways Engineering. But I don't 17 know if they were Dallah or ANSS or what 18 exactly. 19 Q. To your knowledge, did any 20 Dallah Avco employee have a role in 21 deciding that your living expenses would 22 be paid in one lump sum rather than three 23 installments? 24 A. I don't know.</p>	<p style="text-align: right;">Page 648</p> <p>1 civil servant could take during any one 2 year? 3 A. Yes. 4 Q. And were you aware that 5 under the Saudi Civil Service Regulations 6 in effect at the time, there was a 7 six-month limit on the amount of 8 exceptional leave an employee could take 9 during any three-year period? 10 A. During three years? 11 Q. Yes. 12 A. No, it's more than three 13 years. 14 No, my service was more than 15 three years. 16 Q. I recognize that. 17 But one of the types of 18 leave you took was exceptional leave. 19 And what I'm asking is, were you aware 20 that, under the Saudi Civil Service 21 Regulations, there was a maximum amount 22 of exceptional leave a civil servant 23 could take, and that that limit was six 24 months within any three-year period?</p>

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<p style="text-align: right;">Page 649</p> <p>1 A. I understand what you're 2 trying to say. 3 But I can take up to six 4 months as an -- unpaid exceptional leave. 5 Q. When you finished your 6 spring 1995 classes at San Diego State 7 University, did you still want to 8 continue to pursue further educational 9 studies in the United States? 10 A. Yes. I still wanted to 11 pursue writing and academic, which was 12 good at the American Language Institute, 13 but the oral was better at ELS. And this 14 is why I enrolled at the ELS institute. 15 Q. Do you recall learning at 16 the time that because you had exhausted 17 the amount of regular and exceptional 18 leave you were allowed to take as a civil 19 servant, you would have to make some 20 alternative arrangements to enable you to 21 stay in the United States to pursue those 22 studies? 23 A. No. It was an opportunity. 24 After I finished the English studies,</p>	<p style="text-align: right;">Page 651</p> <p>1 to pursue education, that is not true. 2 That is not what happened. 3 Q. What did happen? 4 A. It was not that it happened, 5 it was not the intention. 6 Q. Is it what happened? 7 A. Yes. 8 Q. And do you recall testifying 9 earlier this week that Airways 10 Engineering made the arrangements for you 11 to be seconded to the ANSS project so you 12 could continue your educational studies 13 in the United States? 14 A. No. I was supposed to study 15 through the Saudization program through 16 the secondment. 17 Q. Am I correct, though, that 18 you testified that Airways Engineering 19 were the ones who made those arrangements 20 so that you could pursue those studies? 21 A. Yes. 22 Q. Did Dallah Avco ever do 23 anything to recruit you as a candidate to 24 work on the ANSS project?</p>
<p style="text-align: right;">Page 650</p> <p>1 there was an opportunity at Wisconsin 2 University for the program for the 3 Master's study, and I enrolled. 4 Q. Do you recall learning that 5 one way you would be able to pursue those 6 additional studies in the United States 7 was if you were seconded to the ANSS 8 project, in which case you would no 9 longer be subject to the 90-day and six 10 months' limit on regular and exceptional 11 leave? 12 A. I don't understand the 13 question. 14 Q. Was the reason that you were 15 seconded to the ANSS project to enable 16 you to continue your educational studies 17 in the United States? 18 A. No. At the beginning it was 19 not so. 20 Q. What do you mean by that? 21 A. No, like, meaning at the 22 beginning I took a leave and then I took 23 an exceptional leave. And then I had the 24 intention to enroll in the ANSS program</p>	<p style="text-align: right;">Page 652</p> <p>1 A. Yes. Alp Karli. 2 Q. So Alp Karli, the ANSS 3 employee, was the one who helped you make 4 these arrangements for you to be seconded 5 to the ANSS project? 6 A. So when I first got to the 7 ANSS, Karli spoke to me and he said, 8 you're going to replace me, you're going 9 to take my post, but get yourself ready. 10 You need to study English and take 11 courses for you to be qualified. 12 Q. And in order to accomplish 13 that, Alp Karli helped make arrangements 14 for you to be seconded to the ANSS 15 project so that you could continue your 16 studies in the United States? 17 A. I don't know if it was Karli 18 or someone else. But it was Karli that 19 helped with the project, and he's the one 20 who told me, your post is going to be 21 like that in the future. 22 Q. Okay. And the reason for 23 the secondment was so you could pursue 24 educational studies in the United States?</p>

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<p style="text-align: right;">Page 653</p> <p>1 A. Yes.</p> <p>2 Q. And did anyone at Dallah</p> <p>3 Avco ever tell you that Dallah Avco, the</p> <p>4 company, had an urgent need for your</p> <p>5 services?</p> <p>6 A. At that time, many companies</p> <p>7 wanted my services.</p> <p>8 Q. Okay. But the reason why</p> <p>9 you were seconded to the project related</p> <p>10 to your educational studies?</p> <p>11 A. No. It had to do with the</p> <p>12 Saudization.</p> <p>13 Q. The -- when you say</p> <p>14 "Saudization," you're referring to the</p> <p>15 fact that you planned to take over Alp</p> <p>16 Karli's job at the contract, finance and</p> <p>17 controls unit?</p> <p>18 A. Yes.</p> <p>19 Q. And to do that, you needed</p> <p>20 to pursue educational studies in the</p> <p>21 United States?</p> <p>22 A. Yes.</p> <p>23 Q. All right.</p> <p>24 MR. KRY: Let's put up a</p>	<p style="text-align: right;">Page 655</p> <p>1 about that.</p> <p>2 On the left-hand side --</p> <p>3 A. (The Witness) Sorry about</p> <p>4 that.</p> <p>5 Q. -- next to Mr. al-Salmi's</p> <p>6 name, do you see the letters ALP?</p> <p>7 A. Yes.</p> <p>8 Q. And are those Alp Karli's</p> <p>9 initials?</p> <p>10 A. Yes.</p> <p>11 Q. Does that indicate to you</p> <p>12 that Mr. Karli may have prepared this</p> <p>13 form for al-Salmi's signature?</p> <p>14 A. I think before it was -- the</p> <p>15 management was studying the idea. And</p> <p>16 then they send it to Alp Karli. It's a</p> <p>17 long process, very long process. Not</p> <p>18 only to Alp Karli or this guy or that</p> <p>19 guy, it's the management that takes -- or</p> <p>20 makes the decision. I don't know who</p> <p>21 does or what the procedure is.</p> <p>22 Q. After you were seconded to</p> <p>23 the ANSS project in 1995, did you, in</p> <p>24 fact, continue your educational studies</p>
<p style="text-align: right;">Page 654</p> <p>1 document previously marked Kamel</p> <p>2 Exhibit-112, which was produced at</p> <p>3 DA 1016.</p> <p>4 BY MR. KRY:</p> <p>5 Q. This is an authorization to</p> <p>6 hire form from al-Salmi authorizing</p> <p>7 Dallah Avco to hire you on to the ANSS</p> <p>8 project effective June 6, 1995.</p> <p>9 Do you recognize the PCA</p> <p>10 letterhead at the top of this form?</p> <p>11 A. Yes.</p> <p>12 Q. And do you recognize</p> <p>13 al-Salmi's signature at the bottom of the</p> <p>14 form?</p> <p>15 And I mean the signature on</p> <p>16 the right-hand side.</p> <p>17 A. Yes. Yes.</p> <p>18 Q. On the left-hand side, next</p> <p>19 to --</p> <p>20 A. But there's someone -- I'm</p> <p>21 sorry.</p> <p>22 There's someone who has his</p> <p>23 initial on the left-hand side.</p> <p>24 Q. I was just about to ask you</p>	<p style="text-align: right;">Page 656</p> <p>1 in the United States?</p> <p>2 INTERPRETER AL-HALABI: The</p> <p>3 interpreter was asked to repeat</p> <p>4 the question, so he's going to.</p> <p>5 THE WITNESS: Yes.</p> <p>6 MR. KRY: Let's put up and</p> <p>7 mark as Exhibit-727 the document</p> <p>8 produced at PEC-KSA1-35.</p> <p>9 - - -</p> <p>10 (Whereupon, Exhibit</p> <p>11 al-Bayoumi-727,</p> <p>12 PEC-KSA1-000035-0036, ESL Language</p> <p>13 Centers Academic Report, was</p> <p>14 marked for identification.)</p> <p>15 - - -</p> <p>16 BY MR. KRY:</p> <p>17 Q. This is a transcript from</p> <p>18 ELS Language Centers showing certain</p> <p>19 courses you took in 1995.</p> <p>20 A. Yes.</p> <p>21 Q. Does this transcript</p> <p>22 accurately reflect your coursework at ELS</p> <p>23 Language Centers in 1995?</p> <p>24 A. Yes.</p>

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<p>1 MR. KRY: Let's mark as 2 Exhibit-728 a document produced at 3 PEC-KSA1-44. 4 - - - 5 (Whereupon, Exhibit 6 al-Bayoumi-728, 7 PEC-KSA1-000044-0047, West Coast 8 University Transcript, was marked 9 for identification.) 10 - - - 11 BY MR. KRY: 12 Q. This is a transcript from 13 West Coast University showing your 14 courses between late 1995 and early 1997. 15 Does this transcript 16 accurately reflect the courses you took 17 at West Coast University during that 18 timeframe? 19 A. Yes. 20 MR. KRY: Let's mark as 21 Exhibit-729 a document that was 22 produced at PEC-KSA1-61. 23 - - - 24 (Whereupon, Exhibit</p>	<p>1 Q. This is the summary we saw 2 earlier of the courses you took through 3 George Washington University in 1999 and 4 2000. 5 Is this summary an accurate 6 reflection of the courses you took at 7 George Washington University? 8 A. Yes. 9 Q. Throughout this entire 10 five-year period, were you in the United 11 States in order to pursue educational 12 studies? 13 A. Yes. 14 Q. And during this entire 15 five-year period, were you, in fact, in 16 the United States in order to pursue 17 educational studies -- I'm sorry. Strike 18 that. 19 During this five-year 20 period, were you, in fact, pursuing 21 educational studies in the United States? 22 A. Yes. 23 Q. Did you ever tell anyone at 24 Dallah Avco that you were in the United</p>
Page 658	Page 660
<p>1 al-Bayoumi-729, PEC-KSA1-000061, 2 Alliant International University 3 Transcript, was marked for 4 identification.) 5 - - - 6 BY MR. KRY: 7 Q. This is your transcript from 8 U.S. International University showing 9 courses you took during 1997. 10 Does this transcript 11 accurately reflect your coursework at 12 U.S. International University in 1997? 13 A. (The Witness) Translation? 14 MR. KRY: We might have lost 15 Bachar. Can we get someone else 16 to hop on and translate? 17 INTERPRETER MIKHAIL: 18 (Complies with request.) 19 THE WITNESS: Yes. 20 MR. KRY: Next, let me put 21 up a document that was previously 22 marked Exhibit-681, produced at 23 KSA 907. 24 BY MR. KRY:</p>	<p>1 States for some purpose other than 2 pursuing educational studies? 3 A. No. 4 Q. Was the coursework you were 5 pursuing in the United States relevant to 6 your job at Airways Engineering? 7 A. Yes. 8 Q. Was this coursework intended 9 to improve your job skills at Airways 10 Engineering? 11 A. Yes. 12 Q. And did you hope that by 13 pursuing this coursework you would 14 eventually take over Alp Karli's job as 15 the head of the contracts, finance and 16 controls unit in Airways Engineering? 17 A. Yes. 18 Q. During these five years you 19 were seconded to the ANSS project, did 20 you receive a salary and benefits as an 21 ANSS employee? 22 MR. SHEN: Objection to 23 form. 24 You can answer.</p>

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<p style="text-align: right;">Page 661</p> <p>1 THE WITNESS: I don't</p> <p>2 remember, but there was a</p> <p>3 difference in salaries.</p> <p>4 BY MR. KRY:</p> <p>5 Q. Do you recall that Dallah</p> <p>6 Avco issued those salary and benefit</p> <p>7 payments to you?</p> <p>8 A. Yes. But I deserved more.</p> <p>9 Q. Do you know whether Dallah</p> <p>10 Avco, under its contract with the PCA,</p> <p>11 was entitled to be reimbursed for the</p> <p>12 amounts that it paid you as an ANSS</p> <p>13 employee?</p> <p>14 A. Can you repeat the question</p> <p>15 one more time?</p> <p>16 I don't know.</p> <p>17 MR. KRY: Let's put back up</p> <p>18 Kamel Exhibit-112 we were looking</p> <p>19 at. That was the PCA's 1995</p> <p>20 authorization to hire form.</p> <p>21 BY MR. KRY:</p> <p>22 Q. And if we can zoom in under</p> <p>23 your name, the form lists a particular</p> <p>24 job title that you were going to be</p>	<p style="text-align: right;">Page 663</p> <p>1 assign you to higher levels over the</p> <p>2 years on the project as time went on?</p> <p>3 A. I don't understand the</p> <p>4 question.</p> <p>5 Q. Well, you started out in a</p> <p>6 Level G position.</p> <p>7 My question is, over the</p> <p>8 five years you were seconded to the</p> <p>9 project, do you recall that your level</p> <p>10 was later increased or promoted to a more</p> <p>11 higher-paying level?</p> <p>12 A. Yes.</p> <p>13 Q. And as you were promoted,</p> <p>14 you did, in fact, receive a higher amount</p> <p>15 of salary and benefits as an ANSS</p> <p>16 employee?</p> <p>17 A. No.</p> <p>18 Q. Did the amount of salary and</p> <p>19 benefits you received over the five years</p> <p>20 of your secondment change over time?</p> <p>21 A. Yes, it changed.</p> <p>22 Q. And do you know whether</p> <p>23 those changes were a result of you being</p> <p>24 assigned to different positions that had</p>
<p style="text-align: right;">Page 662</p> <p>1 assigned to, as well as a position</p> <p>2 number, a task department, and then a</p> <p>3 level, which it lists as G.</p> <p>4 Do you recall that al-Salmi</p> <p>5 originally assigned you to a Level G</p> <p>6 position on the ANSS project?</p> <p>7 A. No.</p> <p>8 Q. Do you know what it means</p> <p>9 for a position to be a Level G position?</p> <p>10 A. Advanced position.</p> <p>11 Q. Do you know whether the</p> <p>12 levels of the positions corresponded to</p> <p>13 different levels of salary and benefits?</p> <p>14 A. There were different levels.</p> <p>15 Q. But the amount of salary and</p> <p>16 benefits would change depending upon what</p> <p>17 the level of the position was?</p> <p>18 A. Yes.</p> <p>19 Q. And, to your knowledge, did</p> <p>20 Alawi Kamel, or any other Dallah Avco</p> <p>21 employee, have a role in deciding which</p> <p>22 level position you would be assigned to?</p> <p>23 A. No, I don't know.</p> <p>24 Q. Did Airways Engineering</p>	<p style="text-align: right;">Page 664</p> <p>1 different levels associated with them?</p> <p>2 A. No. It was associated with</p> <p>3 what I received in education. Like, the</p> <p>4 time period -- that time period, Alp</p> <p>5 Karli's salary was approximately 80,000</p> <p>6 to 100,000 riyal. My salary was 11,000</p> <p>7 riyal. That's a big, big, big</p> <p>8 difference.</p> <p>9 Q. Do you know whether as you</p> <p>10 attained more education in the United</p> <p>11 States, Airways Engineering increased</p> <p>12 your level on the ANSS project?</p> <p>13 A. Yes. They increased my</p> <p>14 level and my salary, but it was still at</p> <p>15 the lower rank or lower limit. But I</p> <p>16 agreed to continue my education only.</p> <p>17 MR. KRY: Let's mark as</p> <p>18 Exhibit-730 a document produced at</p> <p>19 DA 298.</p> <p>20 - - -</p> <p>21 (Whereupon, Exhibit</p> <p>22 al-Bayoumi-730, DA000298, January</p> <p>23 2000 Letter, was marked for</p> <p>24 identification.)</p>

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<p>1 - - -</p> <p>2 BY MR. KRY:</p> <p>3 Q. This is a letter that you</p> <p>4 wrote to al-Salmi, which is stamped as</p> <p>5 having been received on January 17th,</p> <p>6 2000, requesting that al-Salmi authorize</p> <p>7 the disbursement of certain vacation pay</p> <p>8 that you were entitled to as an ANSS</p> <p>9 project employee.</p> <p>10 Do you recall writing to</p> <p>11 al-Salmi to request that he authorize the</p> <p>12 disbursement of your vacation pay?</p> <p>13 A. I don't remember, no.</p> <p>14 Q. Is the signature toward the</p> <p>15 top of the document your signature?</p> <p>16 A. (The Witness) Yes.</p> <p>17 (Through Interpreter) Yes.</p> <p>18 Q. And is the -- do you see</p> <p>19 there's also a handwritten response at</p> <p>20 the bottom of the letter?</p> <p>21 A. Yes.</p> <p>22 Q. And is the signature under</p> <p>23 that response al-Salmi's signature?</p> <p>24 A. Yes.</p>	<p>1 is now being excluded from the</p> <p>2 deposition.</p> <p>3 VIDEO TECHNICIAN: One</p> <p>4 moment.</p> <p>5 - - -</p> <p>6 (FBI Protected Material.)</p> <p>7 - - -</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
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<p>1 Q. These salary and benefits</p> <p>2 that you received as an ANSS employee</p> <p>3 over the course of your five-year</p> <p>4 secondment, were those funds used to pay</p> <p>5 your education and living expenses in the</p> <p>6 United States while you were pursuing</p> <p>7 education?</p> <p>8 A. Yes.</p> <p>9 Q. Did you ever use those</p> <p>10 salary and benefits to fund any illegal</p> <p>11 activities?</p> <p>12 A. No.</p> <p>13 Q. Did you ever tell anyone at</p> <p>14 Dallah Avco that you were going to use</p> <p>15 your ANSS salary and benefits for any</p> <p>16 purpose other than your educational and</p> <p>17 living expenses in the United States?</p> <p>18 A. No.</p> <p>19 Q. Okay.</p> <p>20 MR. KRY: We're going to</p> <p>21 need to go on the FBI record for</p> <p>22 about ten minutes.</p> <p>23 Can we do that, please?</p> <p>24 MS. PRITSKER: DIB counsel</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p>1 the second page of this document. 2 BY MR. KRY: 3 Q. Mr. al-Bayoumi, this is the 4 January 22nd, 1997, letter from Magdi 5 Hanna at Ercan Engineering to U.S. 6 International University. 7 And Mr. -- 8 MR. KRY: Well, translate 9 that. 10 BY MR. KRY: 11 Q. And Mr. Hanna writes in this 12 letter, This is to confirm that Ercan has 13 been supporting Mr. Omar al-Bayoumi since 14 the start of this year and will continue 15 to do so until the year 2000. Ercan has 16 been providing \$4,000 a month to support 17 his educational program in the San Diego 18 area. 19 Do you recognize the company 20 identified in this letter, Ercan 21 Engineering, as a subcontractor on the 22 ANSS project? 23 A. Yes. 24 Q. Do you know whether Ercan</p>
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<p>1 2 3 4 5 6 7 8 9 10 11 12 13 (End of FBI Protected 14 Material.) 15 - - - 16 VIDEO TECHNICIAN: Okay. 17 MR. KRY: And if we could 18 put up the document previously 19 marked Exhibit-680, produced at 20 PEC-KSA1-30 and 31. 21 VIDEO TECHNICIAN: Just for 22 the record, everyone is back in 23 the room now. 24 MR. KRY: And we'll go to</p>	<p>1 took over some of Avco Overseas 2 subcontractor responsibilities for the 3 ANSS project in 1995? 4 A. No. I don't know. 5 Q. Do you see in this letter 6 that Ercan claims that it will be paying 7 you financial support in the amount of 8 \$4,000 per month? 9 A. The support was for me to 10 study and get accepted at a university. 11 MS. PRITSKER: My apologies. 12 DIB counsel just wants to announce 13 that they were excluded from the 14 record from approximately 15 11:20 a.m. Eastern to 11:27 a.m. 16 Eastern. Thanks. 17 BY MR. KRY: 18 Q. Do you see that the amount 19 of that support that Ercan claims it is 20 going to provide to you was \$4,000 a 21 month? 22 A. Yes, I do see. 23 But it was for me to 24 continue with the studies. But they did</p>

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<p>1 not disburse the funds, nevertheless.</p> <p>2 Q. Do you see that in this</p> <p>3 letter Ercan claims it would provide that</p> <p>4 support until the year 2000?</p> <p>5 A. Yes.</p> <p>6 Q. And do you --</p> <p>7 A. Yes, I see it. But it's not</p> <p>8 correct.</p> <p>9 Q. Do you see that this letter</p> <p>10 states that the purpose of the funding</p> <p>11 Ercan was going to provide was to support</p> <p>12 your educational program in the San Diego</p> <p>13 area?</p> <p>14 A. Yes. This is a letter</p> <p>15 addressed to the university on the</p> <p>16 premise that I would be continuing -- for</p> <p>17 me to keep and continuing my education.</p> <p>18 But I never received the funds.</p> <p>19 Q. So if I recall correctly,</p> <p>20 Mr. al-Bayoumi, earlier this week you</p> <p>21 testified that you did receive, on</p> <p>22 occasion, payments from Ercan, even</p> <p>23 though it was not consistently paid to</p> <p>24 you in the way that it was represented in</p>	<p>1 MR. KRY: All right. I need</p> <p>2 to go back on the FBI record for</p> <p>3 about ten minutes again.</p> <p>4 MS. PRITSKER: DIB counsel</p> <p>5 is now being excluded from the</p> <p>6 deposition.</p> <p>7 VIDEO TECHNICIAN: One</p> <p>8 moment.</p> <p>9 - - -</p> <p>10 (FBI Protected Material.)</p> <p>11 - - -</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
Page 674	Page 676
<p>1 this letter.</p> <p>2 Do you recall that</p> <p>3 testimony?</p> <p>4 A. No. This letter is</p> <p>5 different. That was the learning</p> <p>6 language phase, and it was once or twice.</p> <p>7 But, no, this is not correct.</p> <p>8 Q. But on the once or twice,</p> <p>9 did you receive educational funding from</p> <p>10 Ercan?</p> <p>11 A. As far as I remember, yes.</p> <p>12 Q. Did you, in fact, use those</p> <p>13 funds to pay your education and living</p> <p>14 expenses in the United States?</p> <p>15 A. Yes.</p> <p>16 Q. Did you ever use those funds</p> <p>17 for any illegal activities in the United</p> <p>18 States?</p> <p>19 A. No.</p> <p>20 Q. And did you ever tell anyone</p> <p>21 at Dallah Avco that you were using the</p> <p>22 Ercan funding for any purpose other than</p> <p>23 your educational and living expenses?</p> <p>24 A. No.</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 (End of FBI Protected 22 Material.) 23 - - - 24 VIDEO TECHNICIAN: Okay.</p>	<p>1 aware that in April of 1999 that PCA and 2 Dallah Avco exchanged some correspondence 3 about whether to renew your secondment 4 for a fifth and final year? 5 INTERPRETER MIKHAIL: He is 6 asking for repetition. 7 Interpreter will repeat. 8 THE WITNESS: Yes, I do know 9 that there was correspondence 10 between them. But I don't know if 11 it was the fifth and the last 12 year. 13 BY MR. KRY: 14 Q. Do you recognize al-Salmi's 15 signature on the letter? 16 MR. KRY: Could the tech 17 mute Mr. Cottreau? 18 VIDEO TECHNICIAN: I muted 19 him. 20 MR. KRY: Thank you. 21 Did we get an answer to that 22 question? 23 THE WITNESS: Yes, yes, yes. 24 BY MR. KRY:</p>
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<p>1 Counsel is back. 2 MR. KRY: Great. If we 3 could put up as Exhibit-732 -- 4 MS. PRITSKER: DIB counsel 5 has been admitted back into the 6 room and were excluded at 7 approximately 11:33 a.m. Eastern. 8 I ask that moving forward we 9 take a pause when counsel are 10 excluded and brought back into the 11 room to allow me to make those 12 very brief announcements. 13 Thank you. 14 MR. KRY: We're going to put 15 up Exhibit-732. It's a document 16 produced at DA 1104. 17 - - - 18 (Whereupon, Exhibit 19 al-Bayoumi-732, DA001104, 4/7/99 20 Letter, was marked for 21 identification.) 22 - - - 23 BY MR. KRY: 24 Q. Mr. al-Bayoumi, were you</p>	<p>1 Q. And do you see that 2 Mr. al-Salmi states in this letter, We 3 would like to inform you that the 4 Presidency wants to grant him secondment 5 for a period of one year only to complete 6 the task under which the Presidency 7 approved this secondment? 8 A. Yes. 9 Q. At the time of this letter 10 in April 1999, had you completed all of 11 the educational studies that you planned 12 to pursue in the United States? 13 A. No. The answer is no. 14 Q. And so were those further 15 educational studies that you still wanted 16 to pursue the task that Mr. al-Salmi was 17 referring to in this letter, to your 18 knowledge? 19 A. Yes. Because I did request 20 to continue my education. 21 Q. Did you ever tell anyone at 22 Dallah Avco that you were in the United 23 States for some task other than pursuing 24 educational studies?</p>

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<p style="text-align: right;">Page 681</p> <p>1 A. No.</p> <p>2 Q. To your knowledge, did</p> <p>3 anyone at PCA ever tell Dallah Avco that</p> <p>4 you were in the United States for some</p> <p>5 task other than pursuing educational</p> <p>6 studies?</p> <p>7 A. No.</p> <p>8 Q. Okay.</p> <p>9 MR. KRY: This is a good</p> <p>10 time for a break, if it's</p> <p>11 convenient for the witness.</p> <p>12 VIDEO TECHNICIAN: We're</p> <p>13 going to go off the record, 11:42</p> <p>14 a.m.</p> <p>15 - - -</p> <p>16 (Whereupon, a brief recess</p> <p>17 was taken.)</p> <p>18 - - -</p> <p>19 VIDEO TECHNICIAN: We're</p> <p>20 back on the record at 11:55 a.m.</p> <p>21 BY MR. KRY:</p> <p>22 Q. Mr. al-Bayoumi, were you</p> <p>23 aware that Saudi law, at the time,</p> <p>24 imposed a five-year limit on the length</p>	<p style="text-align: right;">Page 683</p> <p>1 A. (The Witness) What month?</p> <p>2 Q. April, May; in that</p> <p>3 timeframe.</p> <p>4 A. I believe so, yes. That was</p> <p>5 my fifth year.</p> <p>6 Q. Did you learn that one way</p> <p>7 you could continue to pursue studies was</p> <p>8 to request an educational leave from the</p> <p>9 PCA?</p> <p>10 A. I don't remember, no. I</p> <p>11 don't remember.</p> <p>12 MR. KRY: Let's put up a</p> <p>13 document we looked at earlier in</p> <p>14 the deposition, it's Anqari</p> <p>15 Exhibit-384, produced at KSA 901.</p> <p>16 BY MR. KRY:</p> <p>17 Q. This is a May 11th, 2000,</p> <p>18 letter from al-Salmi to the PCA's</p> <p>19 personnel director asking the PCA to</p> <p>20 grant you a two-year study leave to</p> <p>21 pursue a Ph.D. degree in finance and</p> <p>22 accounting at George Washington</p> <p>23 University.</p> <p>24 Do you recall looking at</p>
<p style="text-align: right;">Page 682</p> <p>1 of the secondment?</p> <p>2 A. Yes.</p> <p>3 Q. And did your fifth year</p> <p>4 secondment expire in spring 2000?</p> <p>5 A. I really don't remember.</p> <p>6 Q. After your fifth year of</p> <p>7 secondment expired, were you forced, as a</p> <p>8 result, to go back to the Kingdom for a</p> <p>9 couple of months?</p> <p>10 A. I really don't remember.</p> <p>11 Q. Notwithstanding the end of</p> <p>12 the five-year permitted period for</p> <p>13 secondments, did you still want to</p> <p>14 continue your educational studies?</p> <p>15 A. I really don't remember. I</p> <p>16 don't remember.</p> <p>17 Q. I'll represent to you that</p> <p>18 your fifth-year secondment did expire in</p> <p>19 spring of the year 2000.</p> <p>20 My question is, then, in</p> <p>21 spring of 2000, did you still want to</p> <p>22 pursue further educational studies?</p> <p>23 A. In 2000?</p> <p>24 Q. Yes.</p>	<p style="text-align: right;">Page 684</p> <p>1 this document earlier?</p> <p>2 A. No, I don't remember seeing</p> <p>3 it.</p> <p>4 But what year was that</p> <p>5 Gregorian?</p> <p>6 Q. This is May 11th, 2000, was</p> <p>7 the date of this letter.</p> <p>8 A. Yes.</p> <p>9 Q. Does this document refresh</p> <p>10 your recollection that al-Salmi, on your</p> <p>11 behalf, asked the PCA to grant you a</p> <p>12 two-year educational leave so you could</p> <p>13 pursue Ph.D. studies?</p> <p>14 A. I don't remember that.</p> <p>15 Q. To your knowledge, did</p> <p>16 anyone at -- to your knowledge, did</p> <p>17 anyone at Dallah Avco have a role in</p> <p>18 requesting this two-year educational</p> <p>19 leave for you from the PCA?</p> <p>20 A. I don't know, no.</p> <p>21 Q. Did you ever tell anyone at</p> <p>22 Dallah Avco that you wanted this</p> <p>23 educational leave for some reason other</p> <p>24 than continuing your educational studies?</p>

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<p>1 A. No.</p> <p>2 Q. Why did you decide to pursue</p> <p>3 a Ph.D. in finance and accounting?</p> <p>4 A. Because I had an opportunity</p> <p>5 to continue, I had two years, and I said</p> <p>6 to myself, let me pursue that in Britain.</p> <p>7 Q. Were those subjects relevant</p> <p>8 to your work at Airways Engineering?</p> <p>9 A. Yes.</p> <p>10 Q. Were the studies designed to</p> <p>11 improve your job skills in Airways</p> <p>12 Engineering?</p> <p>13 A. Yes.</p> <p>14 Q. And did you hope that these</p> <p>15 studies would help enable you to take</p> <p>16 over Alp Karli's job as the head of the</p> <p>17 contracts, finance control group?</p> <p>18 A. Yes.</p> <p>19 Q. Do you recall earlier today</p> <p>20 that there was some testimony about the</p> <p>21 acceptance letter from George Washington</p> <p>22 University that was attached to this</p> <p>23 message from al-Salmi to the PCA?</p> <p>24 Do you recall the earlier</p>	<p>1 MR. KRY: Let's put up a</p> <p>2 document previously marked Anqari</p> <p>3 Exhibit-381, produced at DA 606.</p> <p>4 BY MR. KRY:</p> <p>5 Q. This is a PCA authorization</p> <p>6 to hire form from al-Salmi, dated April</p> <p>7 29th, 2000, assigning you to the position</p> <p>8 of assistant configuration specialist,</p> <p>9 effective April 13th, 2000.</p> <p>10 Does this --</p> <p>11 MR. KRY: Go ahead.</p> <p>12 INTERPRETER ABDEL-RAHMAN:</p> <p>13 No. Go ahead.</p> <p>14 BY MR. KRY:</p> <p>15 Q. Does this document refresh</p> <p>16 your recollection that you continued to</p> <p>17 hold ANSS employee positions during your</p> <p>18 educational leave?</p> <p>19 A. No.</p> <p>20 Q. Do you see al-Salmi's</p> <p>21 signature at the bottom right of the</p> <p>22 document?</p> <p>23 A. Yes, yes.</p> <p>24 Q. Do you see Alp Karli's</p>
Page 686	Page 688
<p>1 discussion about that document?</p> <p>2 A. Yes.</p> <p>3 Q. And I'm not going to ask you</p> <p>4 about the details of it.</p> <p>5 But my only question is, did</p> <p>6 you ever send a copy of that document to</p> <p>7 Alawi Kamel or anyone else in the Dallah</p> <p>8 Avco offices?</p> <p>9 A. No.</p> <p>10 MR. KRY: Let's take down</p> <p>11 that document.</p> <p>12 BY MR. KRY:</p> <p>13 Q. During your two-year</p> <p>14 educational -- well, first of all, did</p> <p>15 the PCA, in fact, grant you a two-year</p> <p>16 educational leave?</p> <p>17 A. In the year 2000, yes.</p> <p>18 Q. During that two-year</p> <p>19 educational leave, did you continue to be</p> <p>20 hired on to various positions on the ANSS</p> <p>21 project?</p> <p>22 A. I don't know exactly what</p> <p>23 the contracts were or what my contract</p> <p>24 was.</p>	<p>1 initials at the bottom left of the</p> <p>2 document?</p> <p>3 A. Yes.</p> <p>4 Q. To your knowledge, was</p> <p>5 anyone else, at Dallah Avco or otherwise,</p> <p>6 involved in assigning you to a position</p> <p>7 on the ANSS project in 2000?</p> <p>8 A. I don't know.</p> <p>9 Q. Did Airways Engineering</p> <p>10 assign you to the ANSS project during</p> <p>11 your educational leave so that you could</p> <p>12 receive funding for your educational and</p> <p>13 living expenses in the United States?</p> <p>14 MR. SHEN: Objection.</p> <p>15 Robert, can you just clarify the</p> <p>16 time period?</p> <p>17 MR. KRY: During the</p> <p>18 educational leave period from --</p> <p>19 I'll strike that.</p> <p>20 BY MR. KRY:</p> <p>21 Q. Let me rephrase the</p> <p>22 question.</p> <p>23 Did Airways Engineering</p> <p>24 assign you to the ANSS project during</p>

40 (Pages 685 to 688)

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<p style="text-align: right;">Page 689</p> <p>1 your educational leave period from 2000</p> <p>2 to 2002 so that you could use the salary</p> <p>3 to fund your educational and living</p> <p>4 expenses?</p> <p>5 MR. HAEFELE: Foundation.</p> <p>6 THE WITNESS: Yes.</p> <p>7 BY MR. KRY:</p> <p>8 Q. And did you, in fact, use</p> <p>9 the salary and benefits you received as</p> <p>10 an ANSS employee to fund your educational</p> <p>11 and living expenses?</p> <p>12 A. Yes.</p> <p>13 Q. Did you ever use the salary</p> <p>14 and benefits for any illegal activities?</p> <p>15 A. No.</p> <p>16 Q. And did you ever tell Dallah</p> <p>17 Avco that you were using the salary and</p> <p>18 benefits for any purpose other than your</p> <p>19 educational studies and living expenses?</p> <p>20 A. No.</p> <p>21 Q. This form says you were</p> <p>22 being assigned to a Level F position.</p> <p>23 Do you see that?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 691</p> <p>1 Q. Do you know whether, in</p> <p>2 response to those complaints, Airways</p> <p>3 Engineering agreed to promote you to a</p> <p>4 higher-level position on the ANSS project</p> <p>5 so that your salary would be increased?</p> <p>6 MR. HAEFELE: Foundation.</p> <p>7 THE WITNESS: What I know is</p> <p>8 that our department in the</p> <p>9 contracts and finance knew that I</p> <p>10 deserved more.</p> <p>11 And to give you an</p> <p>12 explanation, Alp Karli, Alp</p> <p>13 Karli's salary was between 80 and</p> <p>14 100,000, while my salary was</p> <p>15 11,000. And when my salary was</p> <p>16 increased as a result of a</p> <p>17 promotion, it went up to 24,000,</p> <p>18 which is still close to the lower</p> <p>19 end of the salaries, much less</p> <p>20 than his.</p> <p>21 BY MR. KRY:</p> <p>22 Q. All right. Do you see</p> <p>23 al-Salmi's signature at the bottom of the</p> <p>24 form?</p>
<p style="text-align: right;">Page 690</p> <p>1 Q. To your knowledge, did</p> <p>2 Dallah Avco have any role in assigning</p> <p>3 you to that level?</p> <p>4 A. I don't know.</p> <p>5 MR. KRY: Let's put up</p> <p>6 another exhibit that's previously</p> <p>7 marked, Anqari Exhibit-386.</p> <p>8 BY MR. KRY:</p> <p>9 Q. This is another</p> <p>10 authorization to hire form. This one is</p> <p>11 dated May 29th, 2000. So a month later</p> <p>12 than the exhibit we just looked at,</p> <p>13 although the effective date of the form</p> <p>14 is the same, April 13th, 2000.</p> <p>15 And this one assigns you to</p> <p>16 a position of senior DSS programmer,</p> <p>17 which is a Level C position.</p> <p>18 Do you recall in this time</p> <p>19 period, April and May 2000, complaining</p> <p>20 to your superiors in Airways Engineering</p> <p>21 that you were being paid less than you</p> <p>22 should be, based on your educational</p> <p>23 qualifications?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 692</p> <p>1 A. May I add something?</p> <p>2 Q. Yes.</p> <p>3 A. And I was more qualified</p> <p>4 than Alp Karli at that time.</p> <p>5 Q. Do you see al-Salmi's</p> <p>6 signature at the bottom right of the</p> <p>7 form?</p> <p>8 A. Yes.</p> <p>9 Q. And do you see Alp Karli's</p> <p>10 initials on the bottom left of the form?</p> <p>11 A. Yes.</p> <p>12 MR. KRY: Can we please put</p> <p>13 up what was previously marked</p> <p>14 Khan-95, produced at DA 97.</p> <p>15 BY MR. KRY:</p> <p>16 Q. This is a Dallah Avco form</p> <p>17 labeled, Air Navigation System Support</p> <p>18 married status employment offer. It's</p> <p>19 dated May 29th, 2000.</p> <p>20 And it relates to the</p> <p>21 position of senior DSS programmer, which</p> <p>22 you'll recall is the Level C position</p> <p>23 that Airways Engineering assigned you to</p> <p>24 in May of 2000.</p>

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<p style="text-align: right;">Page 693</p> <p>1 Do you know what a married 2 status position is on the ANSS project? 3 A. Yes. 4 Q. What's your understanding of 5 a married status position? 6 A. It means -- it means that 7 they will take care of the expenses of 8 the children and the family as a whole, 9 in addition to the salary. 10 Q. And so if you look at the 11 last box on the chart there, it says -- 12 listed as one of the benefits you would 13 receive under this position, school fees, 14 and it states that you were entitled to, 15 for a maximum of two children, 80 percent 16 of the school fee within the Kingdom and 17 U.S. dollars, \$3,000 abroad from each 18 child. 19 Is that an example of the 20 additional benefits that you were 21 entitled to as a result of being assigned 22 to a married status position? 23 A. Yes. This is wonderful, 24 wonderful benefits that I'm seeing for</p>	<p style="text-align: right;">Page 695</p> <p>1 BY MR. KRY: 2 Q. This provision of the 3 contract explains that, From past 4 experience, it has become clear to the 5 government that certain skills required 6 under the contract are difficult to 7 obtain on the international labor market 8 and the personnel possessing such skills 9 can only be induced to relocate if the 10 benefit package offered to them includes 11 the right to be accompanied by their 12 families. 13 And then the next paragraph 14 states, As referenced in Exhibit-1, 15 manning schedule, all positions Levels A 16 through E, are married status and all 17 positions in Levels F through L are 18 single status. 19 So under that provision, 20 when you were promoted by Airways 21 Engineering from Level F to Level C, did 22 you then, for the first time, hold a 23 married status position on the ANSS 24 contract?</p>
<p style="text-align: right;">Page 694</p> <p>1 the first time, \$3,000 a child. I've 2 never seen anything in regards to that. 3 Even the education for the children, I 4 haven't seen anything until now. 5 MR. KRY: Let's take that 6 down. Is the next exhibit 733? 7 COURT REPORTER: Yes. 8 MR. KRY: We will mark as 9 Exhibit-733 an excerpt from the 10 ANSS V contract. The English 11 version starts at KSA 1139 and the 12 Arabic version is at KSA 3266. 13 And we are going to look at 14 Article 2-1-5, personnel status. 15 That section is at KSA 3328 in the 16 English version and KSA 3273 in 17 the Arabic version. 18 - - - 19 (Whereupon, Exhibit 20 al-Bayoumi-733, 21 KSA0000003319-3290, Nonconsecutive 22 Bates, Contract No. PCA-AE-97-020, 23 was marked for identification.) 24 - - -</p>	<p style="text-align: right;">Page 696</p> <p>1 A. No. In the beginning, it 2 was single. 3 Q. But after this latest 4 promotion, it was married? 5 A. Yes. 6 Q. And as a result of being 7 promoted to a married status position in 8 2000, did you become entitled to 9 significant additional benefits for your 10 family's education and living expenses? 11 A. Yes. 12 MR. KRY: Let's put up a 13 document previously marked Khan 14 Exhibit-103. This is produced at 15 DA 457 to 83. 16 BY MR. KRY: 17 Q. These are electronic pay 18 slips for the period November 1999 to 19 January 2002 for you. 20 And do you see on this pay 21 slip, the first one is from November of 22 1999, it has entries for basic salary, 23 housing allowance and transportation? 24 A. Yes, I see it.</p>

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<p style="text-align: right;">Page 697</p> <p>1 Q. Do you see there's also a</p> <p>2 line for, Other allowance?</p> <p>3 A. Yes.</p> <p>4 Q. What is your understanding</p> <p>5 of the reason why you received an other</p> <p>6 allowance?</p> <p>7 A. I think it's for them to</p> <p>8 complete the salary difference. The</p> <p>9 salary was 11,546, which is nothing. I</p> <p>10 think it's for them to complete the</p> <p>11 salary.</p> <p>12 Q. And were those other</p> <p>13 allowances intended to fund your</p> <p>14 education and living expenses in the</p> <p>15 United States?</p> <p>16 A. Possible.</p> <p>17 Q. Do you have any personal</p> <p>18 knowledge about how the amount of the</p> <p>19 other allowances on your pay slips was</p> <p>20 set?</p> <p>21 A. No.</p> <p>22 Q. Do you know a Dallah Avco</p> <p>23 employee named Riaz Khan who was the</p> <p>24 company's director of manpower services</p>	<p style="text-align: right;">Page 699</p> <p>1 Q. This is the April 2000 pay</p> <p>2 slip.</p> <p>3 A. (The Witness) Time to pray</p> <p>4 now.</p> <p>5 MR. KRY: How long do you</p> <p>6 need?</p> <p>7 THE WITNESS: (The Witness)</p> <p>8 Just ten minutes.</p> <p>9 MR. KRY: Okay. We'll take</p> <p>10 a ten-minute break.</p> <p>11 VIDEO TECHNICIAN: We're</p> <p>12 going to go off the record, 12:30</p> <p>13 p.m.</p> <p>14 - - -</p> <p>15 (Whereupon, a brief recess</p> <p>16 was taken.)</p> <p>17 - - -</p> <p>18 VIDEO TECHNICIAN: We're</p> <p>19 back on the record at 12:41 p.m.</p> <p>20 BY MR. KRY:</p> <p>21 Q. We were looking at</p> <p>22 Exhibit -- Khan Exhibit-103. And we've</p> <p>23 now gone to your April 2000 pay slip.</p> <p>24 And if you'll look at this</p>
<p style="text-align: right;">Page 698</p> <p>1 during this timeframe?</p> <p>2 A. No.</p> <p>3 Q. Mr. Khan testified</p> <p>4 previously in this case that Airways</p> <p>5 Engineering determined the amount of the</p> <p>6 other allowances that would be paid to</p> <p>7 ANSS employees.</p> <p>8 Do you have any specific</p> <p>9 reason to disagree with him?</p> <p>10 A. (The Witness) Can I have the</p> <p>11 question, please?</p> <p>12 INTERPRETER AL-HALABI: The</p> <p>13 witness asked to repeat the</p> <p>14 question.</p> <p>15 THE WITNESS: I don't know.</p> <p>16 BY MR. KRY:</p> <p>17 Q. Do you know whether Mr.</p> <p>18 Khan, as the director of Dallah Avco's</p> <p>19 manpower services, would be knowledgeable</p> <p>20 about that topic?</p> <p>21 A. I don't know.</p> <p>22 MR. KRY: If we could turn</p> <p>23 to Page DA 462 of this exhibit.</p> <p>24 BY MR. KRY:</p>	<p style="text-align: right;">Page 700</p> <p>1 pay slip, the amount of the other</p> <p>2 allowance increases substantially.</p> <p>3 You'll recall in the earlier pay slip it</p> <p>4 was 1,742 riyals per month and now on</p> <p>5 this pay slip it's gone up to 14,271</p> <p>6 riyals.</p> <p>7 Do you recall that around</p> <p>8 April 2000 you began receiving</p> <p>9 significantly larger other allowances in</p> <p>10 connection with your ANSS employee</p> <p>11 compensation?</p> <p>12 A. Yes. Yes, I see the</p> <p>13 difference.</p> <p>14 But like I mentioned before,</p> <p>15 this is something that I deserve. Maybe</p> <p>16 they weren't able to adjust the basic</p> <p>17 salary, but they adjusted other</p> <p>18 allowance.</p> <p>19 It was -- my salary was</p> <p>20 supposed to increase. It was supposed to</p> <p>21 be over 25. But it was 24-something.</p> <p>22 Q. And so did this increase in</p> <p>23 your other allowances happen around the</p> <p>24 time that you were complaining to Airways</p>

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<p style="text-align: right;">Page 701</p> <p>1 Engineering about your salary level 2 compared to Alp Karli's salary level? 3 A. No. As far as Alp Karli, 4 may God give him more, that's a different 5 subject. 6 But when someone with a high 7 degree, Master's, for example, or 8 something similar from America, it's 9 supposed -- he's supposed to get higher 10 salary. But I didn't mean to compare 11 myself with Alp Karli. 12 Q. Fair enough. 13 Did the increase in the 14 other allowances happen around the time 15 you raised concerns with Airways 16 Engineering that you weren't getting the 17 salary you should in light of your 18 educational experience and your expenses 19 in the United States? 20 A. My educational experience 21 and my previous work experiences, yes. 22 MR. KRY: If we can scroll 23 down a few more pages to the July 24 pay slip.</p>	<p style="text-align: right;">Page 703</p> <p>1 Foundation. 2 THE WITNESS: Yes, yes. 3 BY MR. KRY: 4 Q. So I will represent to you 5 that under the exchange rate at the time, 6 14,271 Saudi riyals was equivalent to 7 just under 4,000 U.S. dollars per month. 8 Do you recall earlier we saw 9 a financial support letter from Ercan in 10 which Ercan claimed that during your 11 secondment they would provide financial 12 support for you for educational expenses 13 in the amount of \$4,000 per month? 14 A. Yes. But Ercan didn't pay 15 anything for me, but filed -- or gave the 16 application to the university. 17 But when I complained, I 18 said it should be adjusted, my position 19 should be adjusted, they added the 20 allowance. 21 Q. And do you recall those 22 Ercan letters stated that Ercan was only 23 going to be paying that financial support 24 until the year 2000?</p>
<p style="text-align: right;">Page 702</p> <p>1 BY MR. KRY: 2 Q. You see that one also has an 3 other allowance of 14,271 riyals? 4 A. Yes, I see it. 5 And I would like to add to 6 that, that during that time period I was 7 paying for my studies from my salary. 8 Q. So was this other allowance 9 intended to fund your education and 10 living expenses while you were on your 11 educational leave in the United States? 12 MR. SHEN: Robert, did you 13 say United States? 14 MR. KRY: Yes. I was going 15 to -- 16 MR. SHEN: All right. Go 17 ahead. 18 MR. KRY: So strike it. 19 BY MR. KRY: 20 Q. Was this other allowance 21 intended to fund your education and 22 living expenses while you were on your 23 educational leave outside the Kingdom? 24 MR. CARTER: Objection.</p>	<p style="text-align: right;">Page 704</p> <p>1 A. Yes. They said that. But 2 that didn't happen. It was only done so 3 I get accepted at the university. 4 Q. So would you agree that the 5 amount of the other allowances you began 6 receiving through the ANSS payroll was 7 similar in amount to the funds that had 8 formally been promised to you, whether or 9 not paid, by one of the project 10 subcontractors? 11 A. I think so. There was a 12 long time that I didn't get paid. So 13 they started to complete the amount. It 14 is possible. 15 Q. And was the reason Airways 16 Engineering began paying you these other 17 allowances in the spring of 2000 to 18 provide an additional educational stipend 19 to cover your education and living 20 expenses during your educational leave? 21 MR. HAEFELE: Foundation. 22 THE WITNESS: I don't know 23 exactly. I don't know exactly. 24 BY MR. KRY:</p>

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<p style="text-align: right;">Page 705</p> <p>1 Q. Did you spend these funds on 2 your education and living expenses during 3 your educational leave? 4 A. Yes, yes. 5 Q. Did you ever spend these 6 other allowances on any illegal 7 activities? 8 A. No. 9 Q. When you received these 10 other allowances from Airways 11 Engineering, was it your understanding 12 that they expected you would use the 13 funds to pay your education and living 14 expenses? 15 A. Yes. 16 Q. And when you complained to 17 Airways Engineering about your salary 18 being too low, was one of the points you 19 made that you had significant education 20 and living expenses out of the Kingdom 21 and that you needed funds to pay for 22 those? 23 A. Yes. There was an important 24 point that the basic salary was not</p>	<p style="text-align: right;">Page 707</p> <p>1 form. 2 THE WITNESS: No. 3 MR. KRY: Let's mark as 4 Exhibit-734 a document produced at 5 DA 601. 6 - - - 7 (Whereupon, Exhibit 8 al-Bayoumi-734, DA000601-0602, 9 8/27/01 Letter, was marked for 10 identification.) 11 - - - 12 MR. SHEN: Robert, how much 13 time do you have left? 14 MR. KRY: Twenty minutes, 15 maybe. 16 BY MR. KRY: 17 Q. This is an August 27th, 18 2001, memorandum from al-Salmi to Dallah 19 Avco. 20 And it states, For the 21 upcoming ANSS VI program, you are hereby 22 authorized to make an offer to the 23 attached man-month support staff and 24 ancillary labor personnel in accordance</p>
<p style="text-align: right;">Page 706</p> <p>1 supposed to be 9,500, it was supposed to 2 be 20,000-plus, at least, but, then, the 3 addition of -- 4 (The Witness) Other housing, 5 other allowance and transportation. 6 (Through Interpreter) Other 7 housing, other allowance and 8 transportation. 9 Q. And did Airways Engineering 10 increase your pay by increasing this 11 other allowance in response to the 12 complaints you had made to them? 13 A. They didn't tell me. After, 14 I found out. But they didn't tell me. 15 Q. Did you ever tell anyone at 16 Dallah Avco that you were using these 17 other allowances for anything other than 18 paying your educational and living 19 expenses while you were on education 20 leave? 21 MR. CARTER: Objection to 22 form. 23 INTERPRETER MIKHAIL: I did 24 not hear. Okay. Objection to</p>	<p style="text-align: right;">Page 708</p> <p>1 with your budget allocations. 2 Do you see al-Salmi's 3 signature on the document? 4 A. Yes. 5 Q. And do you see Alp's 6 initials in the right-hand margin? 7 A. Yes. 8 Q. If we can go to the 9 attachment, there's a chart that lists a 10 number of different ANSS employees and 11 their positions and levels. 12 Do you see that one of the 13 personnel identified is Alp Karli, who is 14 listed as having the position of manager, 15 CFC, which is a Level A position? 16 A. Yes, I do see it. 17 Q. Do you see right underneath 18 him, there's Azhari Al Awad, who is 19 listed as a manager, program coordinator, 20 Level A, also in the CFC? 21 A. Yes. 22 Q. And is that -- is the 23 presence of those two individuals on this 24 list consistent with your understanding</p>

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<p>1 that they were both ANSS employees?</p> <p>2 A. Yes.</p> <p>3 Q. Do you see two lines below</p> <p>4 that, your name is listed there, and</p> <p>5 you're listed as a senior contract</p> <p>6 specialist in the CFC with the level of</p> <p>7 B?</p> <p>8 A. Yes.</p> <p>9 Q. And do you recall that in</p> <p>10 August 2001 Airways Engineering gave you</p> <p>11 a promotion from a Level C position to a</p> <p>12 Level B position?</p> <p>13 A. I don't remember.</p> <p>14 Q. To your knowledge, did</p> <p>15 Dallah Avco have any role in giving you a</p> <p>16 promotion from a Level C position to a</p> <p>17 Level B position?</p> <p>18 A. No.</p> <p>19 MR. KRY: Let's put up</p> <p>20 what's previously marked as Khan</p> <p>21 Exhibit-100, produced at Dallah</p> <p>22 Avco 603.</p> <p>23 BY MR. KRY:</p> <p>24 Q. This is a November 13th,</p>	<p>1 Q. What do you mean by that?</p> <p>2 A. At times there is money in</p> <p>3 the budget and they pay all the money</p> <p>4 that's owed. At other times there are</p> <p>5 deficits in the budget and then they</p> <p>6 don't pay.</p> <p>7 Q. To your knowledge, did Alawi</p> <p>8 Kamel, or anyone else in the Dallah Avco</p> <p>9 offices, have any role in deciding to</p> <p>10 decrease your salary in November 2001?</p> <p>11 A. No.</p> <p>12 MR. KRY: Let's put up as</p> <p>13 Exhibit-735 a document produced at</p> <p>14 KSA 894.</p> <p>15 - - -</p> <p>16 (Whereupon, Exhibit</p> <p>17 al-Bayoumi-735, KSA0000000894,</p> <p>18 5/5/02 Letter, was marked for</p> <p>19 identification.)</p> <p>20 - - -</p> <p>21 BY MR. KRY:</p> <p>22 Q. This is a letter dated May</p> <p>23 5th, 2002, from al-Salmi to the PCA's</p> <p>24 director of personnel affairs.</p>
Page 710	Page 712
<p>1 2001, memo from am Alp Karli to Dallah</p> <p>2 Avco.</p> <p>3 And it states, As per the</p> <p>4 instructions of director general PCA AE,</p> <p>5 the above-named employee's new salary</p> <p>6 scale will be as follows.</p> <p>7 And then it lists a new</p> <p>8 salary and benefits.</p> <p>9 Do you see that Alp Karli</p> <p>10 sent this memo on PCA letterhead that</p> <p>11 says Airways Engineering Contracts and</p> <p>12 Finance Control?</p> <p>13 A. I do see it. But I have no</p> <p>14 idea about it. I do not know.</p> <p>15 Q. When Alp Karli refers to the</p> <p>16 director general PCA AE, do you</p> <p>17 understand that to be a reference to</p> <p>18 al-Salmi?</p> <p>19 A. I don't know.</p> <p>20 Q. Do you recall that your</p> <p>21 salary did decrease in November of 2001?</p> <p>22 A. Yes. My salary did</p> <p>23 decrease, but it was according to the</p> <p>24 budget.</p>	<p>1 And al-Salmi -- it is</p> <p>2 concerning a request that you had</p> <p>3 submitted in 2002 for a further two-year</p> <p>4 educational leave.</p> <p>5 Do you remember requesting a</p> <p>6 further two-year educational leave from</p> <p>7 the PCA in 2002?</p> <p>8 A. (The Witness) What is the</p> <p>9 question?</p> <p>10 Q. Do you recall, in 2002,</p> <p>11 requesting a further two-year educational</p> <p>12 leave from the PCA?</p> <p>13 A. I don't remember, no.</p> <p>14 Q. This letter states, Due to</p> <p>15 the work conditions that require the</p> <p>16 presence of the aforementioned employee</p> <p>17 in his position, the department cannot</p> <p>18 approve his request at the present time,</p> <p>19 especially that the applicant has already</p> <p>20 got his academic degree.</p> <p>21 Do you recall that in 2002</p> <p>22 al-Salmi recommended that the PCA deny</p> <p>23 your request for an additional two years</p> <p>24 of educational leave?</p>

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<p>1 A. I don't remember, no.</p> <p>2 Q. Do you recognize al-Salmi's</p> <p>3 signature on this document?</p> <p>4 A. Yes.</p> <p>5 Q. Did your educational leave</p> <p>6 from the PCA, in fact, end in the year</p> <p>7 2002?</p> <p>8 A. 2002? Yes, I think so. I</p> <p>9 don't remember exactly, but I believe it</p> <p>10 was around that time.</p> <p>11 Q. And, to your knowledge, did</p> <p>12 Dallah Avco have any role in the PCA's</p> <p>13 decision not to give you a further</p> <p>14 educational leave?</p> <p>15 A. I don't know.</p> <p>16 Q. After your leave ended, did</p> <p>17 you go back to your civil service job at</p> <p>18 the PCA?</p> <p>19 A. No.</p> <p>20 Q. What did you do after your</p> <p>21 educational leave ended?</p> <p>22 A. I went back to my work at</p> <p>23 the ANSS. I went back to my work at the</p> <p>24 ANSS.</p>	<p>1 the plaintiffs asked you some questions</p> <p>2 about interactions you had in the United</p> <p>3 States with two individuals, Nawaf</p> <p>4 al-Hazmi and Khalid al-Mihdhar, and in</p> <p>5 particular one occasion where you met</p> <p>6 them in a restaurant, one occasion where</p> <p>7 you helped them pay for a lease, and then</p> <p>8 one occasion where you were at their</p> <p>9 apartment in connection with a function.</p> <p>10 Do you remember that</p> <p>11 testimony?</p> <p>12 MR. HAEFELE: Objection to</p> <p>13 the characterization.</p> <p>14 THE WITNESS: I did not help</p> <p>15 them. I did not help them. And</p> <p>16 it was not a party. It was an</p> <p>17 honoring of volunteers, and we</p> <p>18 used their apartment.</p> <p>19 BY MR. KRY:</p> <p>20 Q. I apologize. I didn't mean</p> <p>21 to misstate the question.</p> <p>22 But you recall the testimony</p> <p>23 that you met them at a restaurant, you</p> <p>24 took them to a bank when they were trying</p>
Page 714	Page 716
<p>1 Q. By that do you mean the</p> <p>2 Airways Engineering directorate?</p> <p>3 A. Yes. And after that I</p> <p>4 transferred to the PCA.</p> <p>5 Q. Okay. Did your educational</p> <p>6 studies that you had taken over the</p> <p>7 previous seven and-a-half years help you</p> <p>8 do your job at the PCA more effectively?</p> <p>9 A. Yes.</p> <p>10 Q. Did those educational</p> <p>11 studies contribute to your career</p> <p>12 advancement at the PCA?</p> <p>13 A. Yes.</p> <p>14 Q. And did you, in fact,</p> <p>15 receive a number of promotions at the PCA</p> <p>16 during the 12 years you spent there after</p> <p>17 2002?</p> <p>18 A. Yes.</p> <p>19 Q. Okay.</p> <p>20 MR. KRY: We can take the</p> <p>21 document down. I just have one</p> <p>22 final series of questions for you.</p> <p>23 BY MR. KRY:</p> <p>24 Q. Earlier in the deposition,</p>	<p>1 to get a check to pay for the lease, and</p> <p>2 that there was some sort of honoring of</p> <p>3 volunteers at which you borrowed their</p> <p>4 apartment.</p> <p>5 Is that a -- is that a fair</p> <p>6 summary?</p> <p>7 MR. HAEFELE: Form.</p> <p>8 THE WITNESS: Yes.</p> <p>9 BY MR. KRY:</p> <p>10 Q. Were those brief</p> <p>11 interactions with Mr. Hazmi and Mr.</p> <p>12 Mihdhar in any way related to your job</p> <p>13 duties in Airways Engineering?</p> <p>14 MR. HAEFELE: Objection to</p> <p>15 form.</p> <p>16 THE WITNESS: No.</p> <p>17 BY MR. KRY:</p> <p>18 Q. Were those brief</p> <p>19 interactions with Hazmi and Mihdhar in</p> <p>20 any way related to your job duties in</p> <p>21 connection with the ANSS project?</p> <p>22 MR. HAEFELE: Objection to</p> <p>23 form.</p> <p>24 THE WITNESS: No.</p>

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<p style="text-align: right;">Page 717</p> <p>1 BY MR. KRY:</p> <p>2 Q. Were those interactions with</p> <p>3 Hazmi and Mihdhar in any way related to</p> <p>4 your relationship, to the extent you had</p> <p>5 one, with Dallah Avco?</p> <p>6 A. No.</p> <p>7 Q. Were those interactions with</p> <p>8 Hazmi and Mihdhar in any way related to</p> <p>9 your pursuit of educational studies in</p> <p>10 the United States?</p> <p>11 A. No.</p> <p>12 Q. Were those interactions with</p> <p>13 Hazmi and Mihdhar in any way related to</p> <p>14 the reasons why you came to the United</p> <p>15 States in the first place?</p> <p>16 MR. CARTER: Objection to</p> <p>17 form.</p> <p>18 THE WITNESS: No.</p> <p>19 BY MR. KRY:</p> <p>20 Q. Did anyone at Dallah Avco</p> <p>21 ever instruct you to provide assistance</p> <p>22 to Hazmi and Mihdhar?</p> <p>23 A. No.</p> <p>24 Q. Did you ever tell anyone at</p>	<p style="text-align: right;">Page 719</p> <p>1 A. Not at all.</p> <p>2 Q. Did anyone at either the PCA</p> <p>3 or Airways Engineering or Dallah Avco</p> <p>4 ever tell you that your employment on the</p> <p>5 ANSS project was some sort of sham cover</p> <p>6 employment to enable you to provide</p> <p>7 assistance to terrorists in the United</p> <p>8 States?</p> <p>9 MR. HAEFELE: Form.</p> <p>10 THE WITNESS: No.</p> <p>11 BY MR. KRY:</p> <p>12 Q. Did you ever use the salary</p> <p>13 or allowances you received from being an</p> <p>14 ANSS employee to assist terrorists?</p> <p>15 A. No.</p> <p>16 Q. Did you ever request any</p> <p>17 salary or allowances from Dallah Avco for</p> <p>18 the purpose of assisting terrorists?</p> <p>19 A. No.</p> <p>20 Q. Did you ever tell anyone at</p> <p>21 Dallah Avco that you planned to use your</p> <p>22 salary or allowances to assist</p> <p>23 terrorists?</p> <p>24 A. No.</p>
<p style="text-align: right;">Page 718</p> <p>1 Dallah Avco that you had interacted with</p> <p>2 Hazmi and Mihdhar?</p> <p>3 A. No.</p> <p>4 Q. Did anyone at Dallah Avco</p> <p>5 ever instruct you to provide assistance</p> <p>6 to terrorists of any sort?</p> <p>7 A. No.</p> <p>8 Q. And did you ever tell anyone</p> <p>9 at Dallah Avco that you would or that you</p> <p>10 had had interactions with anyone that</p> <p>11 would later go on, a year and-a-half</p> <p>12 later, to participate in the 9/11</p> <p>13 attacks?</p> <p>14 MR. CARTER: Objection to</p> <p>15 form.</p> <p>16 MR. KRY: Did we get the</p> <p>17 answer?</p> <p>18 THE WITNESS: The answer is</p> <p>19 no.</p> <p>20 BY MR. KRY:</p> <p>21 Q. Was your employment on the</p> <p>22 ANSS project some sort of sham cover</p> <p>23 employment designed to enable you to</p> <p>24 assist terrorists in the United States?</p>	<p style="text-align: right;">Page 720</p> <p>1 Q. Did you ever understand that</p> <p>2 the salary and allowances you received as</p> <p>3 an ANSS employee were some sort of reward</p> <p>4 for assisting terrorists in the United</p> <p>5 States?</p> <p>6 A. No.</p> <p>7 Q. What was the reason that you</p> <p>8 were in the United States?</p> <p>9 MR. HAEFELE: Foundation.</p> <p>10 THE WITNESS: Education.</p> <p>11 BY MR. KRY:</p> <p>12 Q. And can you think of any</p> <p>13 reason at all that anyone at Dallah Avco</p> <p>14 should have anticipated that you would</p> <p>15 briefly interact with two Saudis who</p> <p>16 would go on, a year and-a-half later, to</p> <p>17 be 9/11 hijackers?</p> <p>18 MR. HAEFELE: Form and</p> <p>19 foundation.</p> <p>20 THE WITNESS: I would not</p> <p>21 even believe it, to start with.</p> <p>22 MR. KRY: Thank you, Mr.</p> <p>23 Bayoumi. Those are all the</p> <p>24 questions I have for you now.</p>

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<p>1 you have any conversations with anybody 2 about Nawaf al-Hazmi or Khalid 3 al-Mihdhar? 4 A. No. 5 Q. During that time period, did 6 you assist anyone -- strike that. 7 Did you instruct anyone to 8 assist Khalid al-Mihdhar and Nawaf 9 al-Hazmi? 10 A. No. 11 MR. SHEN: Let's introduce 12 the next exhibit, Exhibit-739. 13 Chris, this is our internal 14 Tab 1. Bates number is KSA 8001. 15 - - - 16 (Whereupon, Exhibit 17 al-Bayoumi-739, 18 KSA0000007996-8020, Passport 19 Documentation, was marked for 20 identification.) 21 - - - 22 MR. YOUNG: The exhibit has 23 been introduced. 24 MR. SHEN: Can I ask the</p>	<p>1 you. 2 BY MR. SHEN: 3 Q. And your passport on this 4 particular page contains a number of 5 entry stamps. 6 Do you see that? 7 A. Yes. 8 MR. SHEN: And if we could 9 highlight in the middle of the 10 page, it's upside down, but it 11 says there's an entry into the 12 United States of July 1, 2000. 13 It's right at the fold of the 14 passport in the middle. To the 15 right. Right there. 16 BY MR. SHEN: 17 Q. And, sir, did you stay in 18 the United Kingdom from May 31st until 19 approximately July 1st of 2000, when you 20 returned to the United States? 21 A. Yes. 22 Q. And what were you doing in 23 the United Kingdom during this time 24 period?</p>
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<p>1 technician to share the screen, 2 739, please. 3 Is the technician on? 4 MR. YOUNG: Andy, I can 5 share. 6 MS. INT-HOUT: Do you mean 7 the trial tech or the video tech? 8 Sorry. 9 MR. SHEN: Whoever was 10 sharing their screen before, the 11 trial tech. 12 MS. INT-HOUT: That would be 13 me. Hold on one moment. 14 MR. SHEN: And just for the 15 record, the first Bates stamp of 16 this document is KSA 7996. 17 BY MR. SHEN: 18 Q. Sir, do you recognize this 19 document? 20 A. Yes. 21 Q. What is this document? 22 A. A passport. 23 MR. SHEN: If we could 24 scroll to KSA 8001, please. Thank</p>	<p>1 A. I was preparing for starting 2 my doctorate degree project. 3 Q. And at what university was 4 that? 5 A. Aston University. 6 Q. And during this one-month 7 period when you were in the United 8 Kingdom, did you have any conversations 9 with Khalid al-Mihdhar and Nawaf 10 al-Hazmi? 11 A. No. 12 Q. Did you speak with anybody 13 else about Nawaf al-Hazmi or Khalid 14 al-Mihdhar? 15 A. No. 16 Q. Did you instruct anyone else 17 to assist Khalid al-Mihdhar and Nawaf 18 al-Hazmi during this time period? 19 A. No. 20 MR. SHEN: Can the tech go 21 to Page KSA 8000, please? 22 BY MR. SHEN: 23 Q. And, sir, do you see there's 24 a number of entry/exit stamps on this</p>

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<p>1 page?</p> <p>2 A. Yes.</p> <p>3 Q. And on the top side of this</p> <p>4 page, it's upside down right now, there's</p> <p>5 an entry stamp into the United Kingdom of</p> <p>6 October 9th of 2000.</p> <p>7 Now at the bottom of the</p> <p>8 page in the middle.</p> <p>9 A. Yes.</p> <p>10 Q. Now, after you left the</p> <p>11 United Kingdom in -- on July 1st of 2000,</p> <p>12 did you come back to California?</p> <p>13 A. Yes.</p> <p>14 Q. And did you stay in the</p> <p>15 United States until you left again for</p> <p>16 the United Kingdom on October 9th of</p> <p>17 2000?</p> <p>18 A. Yes.</p> <p>19 Q. In focusing on that time</p> <p>20 period between July 1st of 2000 and</p> <p>21 October 9th of 2000, when you left for</p> <p>22 the UK once again, did you have any</p> <p>23 interactions whatsoever with Khalid</p> <p>24 al-Mihdhar and Nawaf al-Hazmi?</p>	<p>1 Q. Yes, please.</p> <p>2 A. Khalid and Nawaf tended to</p> <p>3 avoid me. Why? Because they tended to</p> <p>4 joke with one another physically, using</p> <p>5 hands, in the presence of my children.</p> <p>6 And I warned my children not to mix with</p> <p>7 them because of that bad behavior.</p> <p>8 From that day on, they took</p> <p>9 the position of avoiding me. Even if</p> <p>10 they see me, they wouldn't approach me.</p> <p>11 I just wanted to clarify that point.</p> <p>12 Q. Sir, when Khalid al-Mihdhar</p> <p>13 and Nawaf al-Hazmi left California, do</p> <p>14 you know where they went?</p> <p>15 A. (The Witness) No.</p> <p>16 (Through Interpreter) No.</p> <p>17 Q. Now, during the time period</p> <p>18 when you were back in the United States</p> <p>19 from July 1st of 2000, to October 9th of</p> <p>20 2000, did you have conversations with</p> <p>21 anyone else about Khalid al-Mihdhar and</p> <p>22 Nawaf al-Hazmi?</p> <p>23 A. No.</p> <p>24 Q. Did you instruct anyone else</p>
Page 754	Page 756
<p>1 A. No.</p> <p>2 Q. During that time period,</p> <p>3 were Khalid al-Mihdhar and Nawaf al-Hazmi</p> <p>4 still living in the same apartment</p> <p>5 complex as you?</p> <p>6 A. No.</p> <p>7 Q. Do you know where they</p> <p>8 lived?</p> <p>9 A. No.</p> <p>10 Q. Do you know if they had a</p> <p>11 job?</p> <p>12 A. I don't know.</p> <p>13 Q. Do you know if they went to</p> <p>14 school?</p> <p>15 A. I didn't know, no.</p> <p>16 Q. Do you know who their</p> <p>17 friends or associates were?</p> <p>18 A. No.</p> <p>19 Q. Do you know when Khalid</p> <p>20 al-Mihdhar or Nawaf al-Hazmi left</p> <p>21 California?</p> <p>22 A. No.</p> <p>23 There is one thing I'd like</p> <p>24 to say. Will you allow me?</p>	<p>1 to assist them?</p> <p>2 A. No.</p> <p>3 Q. Now, your passport indicates</p> <p>4 that you arrived in the United Kingdom on</p> <p>5 October 9th of 2000.</p> <p>6 Why did you go to the United</p> <p>7 Kingdom on October 9th of 2000?</p> <p>8 A. To pursue my doctorate</p> <p>9 studies.</p> <p>10 Q. And at that point had you</p> <p>11 moved from the United States to the</p> <p>12 United Kingdom?</p> <p>13 A. Yes. However, my family was</p> <p>14 still in San Diego.</p> <p>15 Q. Well, after you moved from</p> <p>16 the United States to the United Kingdom,</p> <p>17 did you have any additional discussions</p> <p>18 with Khalid al-Mihdhar or Nawaf al-Hazmi?</p> <p>19 A. No.</p> <p>20 Q. Did you assist them in any</p> <p>21 way?</p> <p>22 A. No.</p> <p>23 Q. Did you instruct anyone else</p> <p>24 to assist them in any way?</p>

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<p>1 credits that you earned and the grades 2 that you earned? 3 A. Yes. 4 Q. And there's an entry that 5 says, Fall quarter 1997, degree, Master's 6 of International Business Administration, 7 date, December 9th of '97. 8 Did you earn a Master's 9 Degree in International Business from 10 U.S. International University? 11 A. Yes. International project 12 management, yes. 13 Q. And if you look at the 14 bottom of the page, there's a stamp as 15 well. 16 Is that a stamp from the 17 embassy? 18 INTERPRETER MIKHAIL: 19 Business management. Not project. 20 Interpreter corrects. 21 International business management. 22 MR. SHEN: Thank you. 23 BY MR. SHEN: 24 Q. Is that a stamp from the</p>	<p>1 MR. SHEN: If the technician 2 could put it up. 3 Thank you very much. 4 BY MR. SHEN: 5 Q. This is a document with the 6 Bates stamp PEC-KSA1-67. 7 Sir, on the following pages, 8 it shows that it is a transcript from 9 Keller School of Management. This 10 particular document lists a number of 11 courses that you had registered for on 12 the first page, including auditing, law, 13 financial accounting, accounting and 14 reporting. 15 Do you see that? 16 A. Yes. 17 Q. And it states that -- under 18 the credit earned column, that you did 19 not earn credits for these particular 20 classes. 21 Sir, did you attend these 22 classes? 23 A. Yes. I attended the 24 classes, yes.</p>
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<p>1 embassy? 2 A. Yes. 3 Q. And what is the date of this 4 stamp, sir? 5 A. I believe 8/4/1998. 6 Q. And in connection, sir, with 7 obtaining this stamp from the embassy, 8 did you communicate with the embassy? 9 A. Yes. 10 Q. And did you have phone calls 11 with the embassy? 12 A. Yes. 13 MR. SHEN: If we could 14 please introduce as the next 15 exhibit our internal Tab 50. 743. 16 - - - 17 (Whereupon, Exhibit 18 al-Bayoumi-743, 19 PEC-KSA1-000067-0070, Keller 20 School of Management Transcript, 21 was marked for identification.) 22 - - - 23 MR. YOUNG: The document has 24 been introduced as Exhibit-743.</p>	<p>1 Q. And why did you not receive 2 credits? 3 A. I did not attend the exams. 4 Q. And why did you not attend 5 the exams? 6 A. Because the subjects were 7 dry. 8 Q. And during this time period 9 when you attended these classes, were you 10 still a full-time student? 11 A. Yes. 12 Q. Now, you had testified, in 13 response to Mr. Pounian's questions, that 14 you also took courses at the community 15 college in San Diego; is that correct? 16 A. Because I would not waste 17 any of my time. Whenever I had free 18 time, I would go and enroll in classes or 19 courses. 20 Q. And roughly how many courses 21 did you take at the community college in 22 San Diego? 23 A. Many. 24 Q. Approximately how many?</p>

SUBJECT TO MDL PROTECTIVE ORDER**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE: TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

))
)) Civil Action No. 03 MDL 1570 (GBD) (SN)
)) ECF Case
))

This document relates to:

All cases

ERRATA SHEET FOR THE DEPOSITION OF OMAR AL BAYOUMI
(June 9-11, 2021)

Page and Line	Current Text	Revised Text	Reason(s)
15:1	“(In English)”	“Yes, but (In English)”	Clarification
15:15	“in”	“to use”	Clarification
16:12	“language, therefore,”	“language. Therefore,”	Transcription Error
16:13	“missed”	“have lost”	Clarification
16:12	“or I”	“I”	Clarification
16:13-14	“of my vocabulary that I lost.”	“and have lost some of my vocabulary.”	Clarification
16:24	“lost”	“have lost”	Clarification
18:1	“was”	“were”	Clarification
18:9	“was by”	“was”	Clarification
18:12	“CIO”	“CIA”	Transcription Error
18:14	“Commission report”	“Commission”	Clarification
18:15	“was”	“were”	Clarification
23:10-11	“The Interior of Ministry”	“The Ministry of Interior”	Clarification

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Page and Line	Current Text	Revised Text	Reason(s)
24:13	“Interior of Ministry”	“Ministry of Interior”	Clarification
24:24	“You said you”	“You said I”	Clarification
25:8	“also”	“also as”	Clarification
26:2	“come”	“would come”	Clarification
26:9	“Ministry of the Interior”	“Ministry of Interior”	Clarification
32:20	“was”	“were”	Clarification
32:21	“was”	“were”	Clarification
34:5	“years”	“years ago”	Clarification
34:6	“forgot”	“forget”	Clarification
34:9	“forgot”	“forget”	Clarification
34:22	“went also”	“also went”	Clarification
35:13	“forgot”	“forget”	Clarification
35:22	“the institute”	“a language institute”	Clarification
36:16	“Tourist”	“The tourist”	Clarification
42:3	“The finance”	“Finance”	Clarification
42:6-7	“airways engineering”	“Airways Engineering”	Transcription Error
43:8	“airways engineering”	“Airways Engineering”	Transcription Error
43:13	“airways engineering”	“Airways Engineering”	Transcription Error
43:19-20	“airways engineering”	“Airways Engineering”	Transcription Error
44:3	“is”	“was”	Clarification

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Page and Line	Current Text	Revised Text	Reason(s)
44:5	“is”	“was”	Clarification
44:6	“division of the”	“division of”	Clarification
45:17	“Immediate supervisor is”	“His immediate supervisor was”	Clarification
45:21	“the airways engineering”	“Airways Engineering”	Transcription Error
46:19	“with”	“at”	Clarification
47:12	“airways engineering”	“Airways Engineering”	Transcription Error
48:2-3	“in the airways engineering”	“Airways Engineering”	Transcription Error
48:10	“airways engineering”	“Airways Engineering”	Transcription Error
48:17	“Since”	“Before”	Clarification
48:21	“airways engineering”	“Airways Engineering”	Transcription Error
49:5	“airways engineering”	“Airways Engineering”	Transcription Error
49:7	“In”	“I was in”	Clarification
49:13	“contracts and”	“contracts, and”	Transcription Error
50:14	“finance related, it would”	“finance-related would”	Clarification
50:15	“look at”	“look at it”	Clarification
50:20	“transaction”	“transactions”	Clarification
50:21	“procedures of”	“procedures for”	Clarification
50:22	“are the paperwork”	“is the paperwork”	Transcription Error

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Page and Line	Current Text	Revised Text	Reason(s)
50:24	“finance conditions and”	“financial conditions, and”	Clarification
51:4	“airways engineering”	“Airways Engineering”	Transcription Error
52:15-16	“airways engineering”	“Airways Engineering”	Transcription Error
52:21	“ready for me to”	“ready to”	Clarification
53:2	“to study, on my own expense, English”	“to study English on my own expense”	Clarification
53:11-12	“to study, on my own expense, English”	“to study English on my own expense”	Clarification
53:20-21	“airways engineering”	“Airways Engineering”	Transcription Error
54:23	“It wasn’t”	“There wasn’t”	Clarification
55:2	“I can”	“I could”	Clarification
55:8-9	“American national institution”	“American Language Institute”	Clarification
55:14	“at the”	“at”	Clarification
55:22	“I went to Florida prior.”	“Prior to San Diego, I went to Florida.”	Clarification
55:22	“If it was”	“If it had been”	Clarification
56:19	“airways engineering”	“Airways Engineering”	Transcription Error
57:2	“airways engineering”	“Airways Engineering”	Transcription Error
57:4	“finances”	“finance division”	Clarification
57:22	“airways engineering”	“Airways Engineering”	Transcription Error

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Page and Line	Current Text	Revised Text	Reason(s)
58:5	“airways engineering”	“Airways Engineering”	Transcription Error
58:9	“airways engineering”	“Airways Engineering”	Transcription Error
58:18-20	“San Diego State University form the American Language Institute”	“the American Language Institute at San Diego State University”	Clarification
59:9	“the airways engineering”	“Airways Engineering”	Transcription Error
59:12	“comes down”	“came down”	Clarification
59:15	“on phases”	“in phases”	Clarification
61:21	“know an apartment”	“know of any available apartment”	Clarification
63:1	“forgot”	“forget”	Clarification
63:3	“forgot”	“forget”	Clarification
63:16	“address”	“apartment”	Clarification
66:23	“the airways engineering”	“Airways Engineering”	Transcription Error
67:8	“work”	“worked”	Clarification
67:17-18	“Prior, it was in the finance auditing and financial revisions.”	“Early on, I was responsible for financial auditing and financial revisions.”	Clarification
68:3	“Saudi”	“Saudi Arabia”	Clarification
69:16	“airways engineering”	“Airways Engineering”	Transcription Error
70:4-5	“the airways engineering”	“Airways Engineering”	Transcription Error

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Page and Line	Current Text	Revised Text	Reason(s)
70:13	“the airways engineering”	“Airways Engineering”	Transcription Error
70:22	“occasions”	“occasion”	Clarification
73:8-9	“data processing technician”	“Data Processing Technician”	Transcription Error
76:11	“papers again”	“papers”	Clarification
76:19	“The airways”	“Airways Engineering”	Clarification
77:16-17	“at the university, engineering”	“engineering at the university”	Clarification
78:1	“called”	“called the”	Clarification
78:8	“now”	“has”	Clarification
79:7	“I see him”	“I saw him”	Clarification
79:8	“he sees me”	“he saw me”	Clarification
80:14	“changed”	“has changed”	Clarification
80:21	“the friend”	“a friend”	Clarification

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Page and Line	Current Text	Revised Text	Reason(s)
113:15	“Ercan is”	“Ercan was”	Clarification
113:15	“with the”	“for”	Clarification
113:16	“get up”	“go up”	Clarification
113:22	“You find they need”	“You will find they needed”	Clarification
113:23	“fill”	“file”	Transcription Error
113:23	“for the”	“for”	Clarification

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Page and Line	Current Text	Revised Text	Reason(s)
114:17	“filled”	“filed”	Transcription Error
114:22	“is at”	“was at”	Clarification
114:23	“is being filled”	“was being filed”	Clarification
114:24	“continuing the”	“continuing my”	Clarification
115:2	“is Ercan”	“was Ercan”	Clarification
115:3	“filled”	“filed”	Transcription Error
115:4	“the education”	“my education”	Clarification
116:8	“cost”	“cost for”	Clarification
116:21	“on its own”	“separately”	Clarification
119:8	“premises”	“premise”	Clarification
122:11	“PCA has”	“PCA had”	Clarification
123:2	“will -- they will”	“would -- they would”	Clarification
123:5	“will”	“would”	Clarification
123:10	“have”	“had”	Clarification
123:18	“must be”	“must have been”	Clarification
124:12	“I’m”	“I was”	Clarification
126:15-16	“so that I can recognize it”	“then I might be able to remember”	Clarification
128:16-18	“I enrolled in the university, to graduate school, so I can study accounting.”	“I enrolled in an accounting program at a university.”	Clarification
129:4	“degree”	“Master’s certificate”	Clarification
129:5	“University, project”	“University in project”	Clarification

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Page and Line	Current Text	Revised Text	Reason(s)
129:6	“degrees”	“certificates”	Clarification
129:16	“forgot”	“forget”	Clarification
129:23	“received”	“took”	Clarification
129:23-130:1	“at community college in San Diego in more than one college”	“at community colleges in San Diego”	Clarification
131:1	“Different”	“A different”	Clarification
131:3	“computer”	“computers”	Clarification
132:8	“Master’s”	“a Master’s”	Clarification
135:4	“herein”	“here”	Clarification
135:6	“from the”	“from”	Clarification
135:8	“herein”	“here”	Clarification
135:23	“this”	“the current”	Clarification
136:12-13	“1998, 1999”	“1998 to 1999”	Clarification
136:18	“in Mesa”	“in the Mesa”	Clarification
137:3	“it was”	“they were”	Clarification
137:18	“thereafter”	“after 1997”	Clarification
138:4	“get enrolled”	“enroll”	Clarification
138:8	“for enrollment”	“to enroll”	Clarification
138:9	“at the end”	“in the end”	Clarification
140:12	“need the”	“need the Master’s certificate in”	Clarification
147:10	“came”	“arrived”	Clarification
147:12	“when I met”	“where did I meet”	Clarification

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Page and Line	Current Text	Revised Text	Reason(s)
397:5	“next by”	“nearby”	Transcription Error
398:10	“road”	“path”	Clarification
411:16	“reception”	“receptionist”	Clarification
548:24-549:1	“The aviation didn’t give me.”	“The Presidency of Civil Aviation didn’t give me a paycheck.”	Clarification
616:4	“They were”	“There were”	Clarification

SUBJECT TO MDL PROTECTIVE ORDER

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 26, 2021

A handwritten signature in black ink, appearing to be 'Omar Al Bayoumi', written over a horizontal line.

Omar Al Bayoumi